Article 15. In case a change is made in the treasurers of political party, association and other organization, the retiring treasurer shall hand over his duties to his successor within fifteen (15) days from the day of former's retirement.

In case the retiring treasurer cannot transfer his duties or his successor cannot take over the former's duties, the person who perform the duties of treasurer under Article 6, Paragraph 2 shall transfer or take over the duties. When it becomes possible to transfer the duties to the successor after the person who performs the duties of treasurer took over the duties, the latter shall immediately transfer the duties to the successor.

When the transfer of duties is made in accordance with the provision of the preceding two Paragraph, the person who transfers the duties shall make a statement of transference in similar manner as prescribed in Articles 12 and 13, write the fact of transference and the date thereof, sign and set seal on the statement with the person who takes over the duties, and hand over the statement together with cash, account-book and other documents.

Article 16. The treasurer of political party, association and other organization shall preserve account-book, detailed statements as well as receipt or other voucher for payment for a period of two years after the day when the statements prescribed in Article 12 or 13 was filed.

Article 17. In case a political party is dissolved or a political party, an association and other organization has ceased to have the object prescribed in Article 3, its chairman or chief manager and treasurer shall report the fact and the date within fifteen (15) days from such date, together with the statement of contributions and other income as well as payments as of the day of dissolution or the day when it ceased to have the object of Article 3 in the similar manner under Article 12 to the Election Management Commission concerned.

Article 18. Among the provisions in this Chapter, those concerning political party shall be applied with necessary modification to its local chapters, and these concerning association and other organization shall apply with necessary modification to its branches.

CHAPTER III

Candidate for Public Office

Article 19. A candidate for public office shall appoint a person who shall assume the responsibility for payments of expenses for election campaign (hereinafter to be called the accountant.) This shall not preclude the candidate to assume such responsibility on himself or the recommender (incase where these are more than one recommender, their representative) to appoint, or himself to act as the accountant with the consent of the candidate.

The person who has appointed the accountant shall fix the highest amount of money which the accountant may defray in a written statement, sign and set seal upon it together with the treasurer.

The person who has appointed the accountant (including the candidate or the recommender who has become the accountant himself) shall forthwith render a written report to the Election Management Commission concerned stating the name, address, occupation, age and date of such appointment along with the name of the candidate.

The recommender, who has appointed the accountant, in filing the report mentioned in the preceding Paragraph shall attach thereto a document proving the candidate's consent to such appointment (in case where there are more than one recommender, also a document to prove his representative capacity).

Article 20. A candidate may remove the accountant by a written notice. The same shall apply to the recommendor who appointed the accountant, when the consent of the candidate was obtained for such measure.

The accountant may resign his post by notifying the candidate and the appointer in writing.

Article 21. The person who appointed the accountant shall report any change in the appointment, after the manner prescribed in Article 19, Paragraph 2 and Paragraph 3.

The report of removal or resignation prescribed in the preceding Paragraph shall be accompanied by a document proving the fact that the notice provided for in the preceding Article has been given. In case where the accountant is removed from his post by the recommender, the report must be accompanied additionally by a document proving the candidate's consent.

Article 22. In case where the accountant is prevented from executing his duty or absent, the person who appointed him shall take his place. Should the recommender who appointed the accountant be unable to take the accountant's place, the candidate shall attend to the duties of the accountant (the same applies to the case with the recommender who has become the accountant).

The person who executes the duties of the accountant in accordance with the provision of the preceding Paragraph shall report the fact in writing in the similar manner as prescribed in Article 19, Paragraph 3 and Paragraph 4.

The report mentioned in the preceding Paragraph must show the name o (also the name of the recommender who appointed the accountant, if he, too, is prevented or absent) the circumstance which prevented the execution of the duty or of vacancy and the date on which the execution of the duty of the accountant by proxy was commenced. Where the person who acts in place of the accountant ceases to do so, the fact and the date thereof shall be reported in writing.

Article 23. The accountant (including the person who acts in his place) shall not, until after the report prescribed in Article 19, Paragraph 3 and Paragraph 4, Article 21 or Paragraph 2 and 3 of the preceding Article, receive contributions or make payment for the candidate, in whatever name, for the

recommendation, support or opposition and other campaigns. The same shall apply in case where the candidate or the recommender receives contributions.

Article 24. The accountant shall keep account-book and enter therein the following matters:

1. All contributions and other income in connection with the election campaign (including contributions made for the candidate with the knowledge of the candidate or the accountant).

2. The name, address and occupation of the person who made contributions prescribed in preceding item as well as the amount and date of such contributions.

3. All payments made in connection with the election campaign (including payments made for the candidate with the knowledge of the candidate or the accountant).

4. The name, address and occupation of the person who received the payments prescribed in preceding item as well as the object, amount and date of such payments.

The provisions of Article 9, Paragraph 2 shall be applied with necessary modifications to the account-books prescribed in preceding Paragraph.

Article 25. Any person other than the accountant who has received any contribution on behalf of the candidate in connection with the election campaign shall present to the accountant within seven (7) days of the receipt of such contribution a detailed statement showing the name, address and occupation of the contributor as well as the amount and date thereof. He shall, however, present it immediately on demand of the accountant.

With respect to any contribution received by such candidate before filing his candidacy, he shall present to the accountant the detailed statement thereof immediately after filing his candidacy.

Article 26. With the exception of initial expenses necessary for preparation for candidacy as well as expensed necessary payments made for conducting election campaign by recommending letters written by recommender own hands or by telephone without the knowledge of such candidate or of the accountant, all payments for an election campaign shall not be made by any person other than the accountant (including the person who executes the accountant's duty in latter's place). This, however, shall not apply to persons who have obtained a written consent of the accountant for such payments.

With respect to the initial expense for the preparation of candidacy paid by the candidate or any person who has become the accountant, or by any other person acting with the knowledge of such person as specified above, the accountant, immediately after assuming his post, shall settle accounts with such candidate or with the person who has made such payments.

Article 27. The accountant or any person who has made payments with the knowledge of the candidate or the accountant on behalf of the latter shall collect receipts and other vouchers of any payments made in connection with the election campaign. This shall, however not apply in case there are circumstances which prevent such collection.

The person who made payments with the knowledge of the candidate or the accountant on behalf of the latter shall immediately send such receipts and vouchers to the accountant.

Article 28. The accountant shall file a statement showing the matters prescribed in each item of Article 24, Paragraph 1 concerning the contributions and other income as well as payments received or made in connection with the election campaign of the candidate to the Election Management Commission concerned.

The provisions in Article 13 shall apply with necessary modifications to the date of filing such statement.

Article 29. When the accountant either resigns his post or is removed, he shall immediately prepare a statement of the contributions and other income received and payments made with respect to the election and hand it over to the new accountant, or the person who acts for the accountant. The above shall apply to a case where a new accountant is appointed after the person who is not the accountant took over the duties of an accountant.

In case the handing over of duties is made in accordance with the provisions of the preceding paragraph, the person who hands over the duty shall make a statement in similar manner as prescribed in the preceding Article showing the fact and date of such transference, to be signed and set seal by both the person who hands over and the person who takes over the duty. It shall be handed over together with cash, account-book, other documents.

Article 30. The accountant shall preserve the account-book, detailed statement and receipts and vouchers of payments for a period of two years from the day the report prescribed in Article 28 was filed.

CHAPTER IV

Person other than political party association, other organization and candidate for public office.

Article 31. In case any person other than a political party, association, other organization and its branch as well as candidate for public office, has made a payment more than two thousand (2,000) and five hundred (500) yen at one time, (in case such payments were made in installment, their aggregate amount) directly or indirectly under a name other than that of the person in connection with the election of the candidate for public office for sake of the political party, association, other organization or its branch. He shall file a report stating the following items within ten (10) days with the Election Management Commission having the control over the business matter concerning such election. However, this shall not apply to the case where the written report is to be made by the treasurer, in accordance with the Article 13.

1. All expenditures.

2. The name, address and occupation of those who received the payment provided for in preceding paragraph, and the purpose of expenses, sum and date.

Article 32. In case a person who holds a public office (including those who hold elective positions in the public services) made contributions in connection with election for a candidate for public office, he shall file within (10) days reckoning the date of contributions a written report stating his name, occupation and the name of office which he belongs to as well as amount of the contribution, date and the name of person whom such contributions were made with the Election Management Commission having the control over the business matter of the election concerned.

In case of the preceding paragraph, if the contributions were made for a political party, association or other organization, its treasurer and if they were made for a candidate for public office, his accountant shall file a written report in accordance with the provisions prescribed in the Article 13 or Article 28 stating in it the items of the aforesaid paragraph with the Election Management Commission having the control over the business matter of the election concerned, notwithstanding the amount of contribution.

CHAPTER V

Publication of Reports

Article 33. On acceptance of reports prepared in accordance with the Provisions of Articles 12 to 14 or Article 17, or of Article 18 or Article 28, Article 31, the preceding Article or Paragraph 2, Article 35 in which these Articles are applicable with necessary modification, the Election Administration Commission concerned shall announce their substance publicly according to the manner prescribed by the National Election Management Commission.

The public announcement prescribed in the preceding paragraph shall be made by the Official Gazette in the case of t he National Election Management Commission and the Election Administration Commission for the Members of the House of Councillors from the Nationwide Constituency, and by the official bulletin in the case of the Election Administration Commissions of the Metropolice, Hokkaido and prefectures, and in the case of Election Administration Commissions of cities, towns and villages in a way convenient for dissemination that was fixed previously by notification.

Article 34. The reports prepared in accordance with the provisions of Articles 12 to 14, Article 17, or Article 18, or Article 28, Article 31, Article 32 or Paragraph 2, Article 35 in which these Articles are applicable with necessary modification shall be kept for two years (2 years) by the Election Administration Commissions which have accepted them from the date of their acceptance.

During the period specified in the preceding paragraph any person shall be at liberty to inspect the reports, according to the manner prescribed by the National Election Management Commission, the Election Administration Commission for the Members of the House of Councillors from the Nationwide Constituency or the Election Administration Commissions of the Metropolice, Hokkaido and prefectures or cities, towns and villages.

CHAPTER VI

Restrictions concerning contributions

Article 35. No person given in the following items shall make contributions in connection with elections. Provided that a person referred to Item 1 may make a contribution to the political party, association or other organization and their branch offices which he belongs to, and to a person who resides in, or is campaigning in, or is a candidate for elective public office outside of the area concerned with a particular election.

1. A candidate for the election for public office.

2. A party of a contract for work or of other agreement attended with special profits made with the State, in case of the election under the Law for Election of the Members of the House of Representatives or the Law for Election of the Members of the House of Councillors or with the local public entity concerned, in case of the election under the Local Autonomy Law.

3. A person prescribed in the Memorandum mentioned in Article 3 of the Imperial Ordinance No. 1 in the year of 1947.

The candidate referred in Item 1 of the preceding paragraph shall submit the written report on the contributions made by him during the period of 1 year previous of the day of announcement and notice of the date of election stating the name of the person who received the contribution (if a body, the name of it) the amount of the sum, and the date to the Election Administration Commission administrating the business matters concerning the election concerned.

Article 36. Any person shall not canvass or ask for a contribution in connection with elections from the persons referred in the items of the first paragraph of the preceding Article.

Any person shall not receive contributions in connection with elections from the persons given in the items of the first paragraph of the preceding Article, and from a foreign national or a foreign corporation or organization.

Article 37. No person shall make a contribution in connection with any election unonomously or under any name other than his full legal name together with his legal address or through a third person.

No person shall receive such a contribution such as prescribed in the preceding paragraph.

In case where contributions were made in violation of the provisions of the paragraph 1, ownership of money or property, thus contributed shall be deemed to revert to the State Treasury and the person in custody of these shall take the proceedings in order to deliver these to the State Treasury.

CHAPTER VII

Penal Provisions

Article 38. If any political party, association and other organization or their branches accepts a contribution or make an expenditure in contravention of the provisions of Article 8 or of Article 11, in which Article 8 is applicable, the political party, association and other organization or their branches shall be fined not less than five thousand (5,000) yen and not more than hundred thousand (100,000) yen.

In the case of the preceding paragraph, the chairman, chief manager or other responsible person of the organization or its branch may be also imprisoned not more than 5 years, or be fined not less than one thousand (1,000) yen and not more than hundred thousand (100,000) yen.

Article 39. Any persons who conducts any of actions enunerated in the following items shall be imprisoned not more than 3 years or be fined not less than one thousand (1,000) yen and not more than fifty thousand (50,000) yen. Provided that the fine to be imposed to any person who is guilty of making false entry or statement, or presenting false documents under Item 1 to Item 3 inclusive, Item 5, Item 9 and Item 10, shall be not less than five thousand (5,000) yen and not more than fifty thousand (50,000) yen.

1. Any person who does not provide for account-books, who omits to enter in the account-books, or who makes false entry therein in violation of the Provisions of Article 9 or of Article 18 or Article 24 in which Article 9 is applicable.

2. Any person who neglects to submit detailed statements or who makes false entry therein in contravention of the provisions of Article 10 or of Article 18 or Article 25 in which Article 10 is applicable.

3. Any person who does not call for receipts or other documents proving expenditures made or who makes false entry therein in contravention of the provisions of Article 11, or of Article 18 or Article 27 in which Article 11 is applicable with necessary modifications.

4. Any person who does not preserve account-books, detailed statements or receipts or other documents proving expenditures in contravention of the provisions of Article 16 or of Article 18 or Article 30 in which Article 16 is applicable with necessary modifications.

5. Any person who makes false entry into account-books, detailed statements or receipts or other documents proving expenditures required to be preserved in accordance with the provisions of Article 16, or of Article 18 or Article 30 in which Article 16 is applicable with necessary modifications.

6. Any person who does not hand over the duties in accordance with the provisions of Article 15 or of Article 29.

7. Any person who accepts a contribution or makes an outlay in contravention of the provisions of Article 25.

8. Any person who makes an outlay in contravention of the provisions of Paragraph 1, Article 26.

9. Any person who neglects to submit reports or who makes false entry therein is contravention of the provisions of Article 31, Paragraph 1 of Article 32 or Paragraph 2 of Article 35.

10. Any person who refuses to submit the report as prescribed in Article 52 or the materials or submits a false report or materials.

Article 40. Any person who neglects to submit reports or who makes false entry therein in contravention of the provisions of Articles 12 to 14 or Article 17, or of Article 18 or Article 28, or Paragraph 2, Article 32 or Article 31 in which these Articles are applicable, shall be imprisoned not more than 5 years or be fined not less than five thousand (5,000) yen, not more than one hundred thousand (100,000) yen.

In case of the preceding paragraph, the chairman or the chief manager of political party, association or other organization or their branch who neglects appropriate cares in regard to the appointment and supervision of treasurer of such organization or its branch may also be fined not less than one thousand (1,000) yen, not more than fifty thousand (50,000) yen.

Article 41. In case when any person who is given in Items 1 and 2, of the first paragraph of Article 35, makes contribution in violation of the provisions of the said Article, he shall be punishable with imprisonment for not more than three (3) years or a fine of not less than five thousand (5,000) yen and not more than fifty thousand (50,000) yen. Any person who made contributions in violation of Paragraph 1, Article 37 shall be treated in the same manner.

In case any person who is given in Item 3, of the first Paragraph of Article 35, makes the contribution in violation of the provisions of the said Article, he shall be punishable with imprisonment of not less than six (6) months and not more than three (3) years.

Article 42. Any person who canvasses or requests the contribution in violation of the provisions of Paragraph 1, Article 36 or receives the contribution in violation of Paragraph 2 of the said Article or Paragraph 2, Article 37 shall be imprisoned not more than three (3) years, or be fined not less than five thousand (5,000) yen and not more than fifty thousand (50,000) yen.

In case any political party, association or other organization or their branch accepts a contribution in violation of the provisions of Paragraph 2, Article 36, or Paragraph 2, Article 37 such political party, association or other organization or their branch shall be fined not less than five thousand (5,000) yen and not more than fifty thousand (50,000) yen.

In case of the preceding paragraph, the chairman, chief manager or other responsible person of the organization of the said paragraph or its branch may be imprisoned not more than three (3) years, or be fined not less than five thousand (5,000) yen, and not more than fifty thousand (50,000) yen.

Article 43. A person who commits crimes in Articles 38: Paragraph 1, Article 39, Paragraph 1, Article 40, Paragraph 1 of the preceding Article, may, depending upon circumstances, be also imprisoned and fines.

A person who by grave negligence commits crimes in Article 39, Paragraph 1, Article 40, Paragraph 1, Article 41, and Paragraph 1 of the preceding Article shall be punished, provided that the court may, depending upon circumstances, extenuate the penalty.

Article 44. In case an elected person has been sentenced in accordance with the provisions of Article 38, Paragraph 2, Article 39 or Article 40 to a punishment on the charge of violation of the provisions of Article 8, Article 13, or of Article 18 or Article 23 or Article 28, in which these Articles are applicable with necessary modifications, this election shall be null and void.

Article 45. If the treasurer of a political party, association or other organization of their branch, the accountant of a candidate for a public office, has neglected to submit the written report as prescribed in the provisions of Article 13, or of Article 18 or Article 28, in which Article 13 is applicable with necessary modification, or has made false entry therein for the purpose of making a candidate for a public office to be elected and has been sentenced therefore to punishment by the provisions of Article 40, the election of such candidate shall be null and void.

When the procurator deems that the case fallen under the crime as prescribed in Article 40 shall come under the provisions of the preceding paragraph, he shall bring a lawsuit against the said elected person in parallel with the original criminal action.

Article 46. The provisions of Paragraph 2 and 3, Article 86, and Article 141-2 of the Election Law of the Members of the House of Representatives shall be applied to the action mentioned in Paragraph 2, of the preceding Article, and the provisions of Article 143 of the said Law shall similarly be applied with necessary modification to the case where the person mentioned in Paragraph 1, of the preceding Article or Article 44 has been sentenced to punishment, provided that the notification or sending as prescribed in Paragraph 2 or 3, Article 86 of the said Law shall be addressed to the National Election Management Commission and the Election Administration Commission of the Nationwide Constituency Members of the House of Councillors or the National Election Management Commission and the President of the House of Councillors in case of the nationwide constituency members of the House of Councillors, and to the National Election Management Commission and the President of the House of Councillors in case of the members elected at the local constituency of the House.

Article 47. Any person shall have neither the right to vote nor be eligible to be elected at the election, to which the present Law applied, for five (5) years after the decision of trial has been fixed in the case where he has been sentenced punishment of fine on conviction of such offences prescribed on Articles 39 to 42, or during the time until he shall have undergone the execution of punishment after the decision of trial has been fixed or until he has been exempted from the execution of such punishment, except for the case where the exemption has been made by the prescription, and for five (5) years more thereafter. Provided in case probation has been sentenced, such period shall be from the day of the court decision to the day on which he shall have not to be required to undergo the execution of punishment any more.

The court may, under the extenuating circumstances, sentence not to apply the provisions prescribed in the preceding paragraph that any person shall have neither the right to vote nor be eligible to be elected or to reduce such period, to the person prescribed in the same paragraph, at the time of the sentence of original punishment.

Article 48. The crime prescribed in the present Chapter shall be expired by prescription due to the expiring of two (2) years.

CHAPTER 8 SUPPLEMENTARY

Article 49. The report to be filed by the treasurer of a political party, association and other organization, the accountant of a candidate for public office or other person under Articles 12 to 14, Article 17, or under Article 18, or Article 28, 31, 32 or Paragraph 2, Article 35 which are applicable with necessary modifications of the aforesaid Articles shall be accompanied by an affidavit swearing the authenticity of the Statement written in such report.

Article 50. The documents to be filed under Articles 6, 7, or under Article 18, Article 19, Paragraphs 3 and 4, Art. 21 or Article 22, Paragraphs 2 and 3 pertaining thereto and the reports under Articles 12 to 14, Article 17, or under Article 18, pertaining thereto, or Articles 28, 31 or 36 shall be deemed to have duly been filed when there were deposited with a post office by registered mail.

Article 51. In case such is considered necessary in executing, this Law, the National Election Management Commission may direct and supervise the Election Management Commission for Members of the House of Councillors of the Nationwide Constituency and the Metropolitan, Hokkaido and Prefectural Election Management Commission, the Election Management Commission for Members of the House of Councillors of the Nationwide Constituency may direct and supervise the Prefectural Election Management Commission and the Prefectural Election Management Commission may direct and supervise the City, Town and Village Election Management Commission respectively. In case it is considered necessary to investigate the documents or reports which have been filed as provided for in this Law, the above-mentioned provision shall be applicable in the same manner.

Article 52. The National Election Management Commission, the Election Management Commission for Members of the House of Councillors of the Nationwide Constituency the Metropolitan, Hokkaido or Prefectural Election Management Commission, or the City, Town or Village Election Management Commission, may ask the political organization, association, other organization, candidate for public office or those relative thereto, to submit the reports or materials, in case such is considered necessary in executing this Law.

Article 53. The whole-business-matters union of towns and or villages shall be deemed as a town or a village in application of this law.

Article 54. The following expenses shall be borne by the National Treasury.

1. The expenses for publication as provided for in Article 33.

2. The expenses for the preservation of reports, as provided for in Paragraph 1, Article 34.

3. The expenses for the facilities for perusal of reports, as provided for in Paragraph 2, Article 34.

Additional Rules.

Article 55. This Law shall come into force on the day of its promulgation.

Article 56. The political party association, and other organization and their branch offices which fall under Article 3 and which exist at the time of enforcement of this Law shall make a notification, as provided for in Article 6 or Article 18 which shall be applied with necessary modification, within thirty days from the enforcement of this Law.

In case the notification is made within the term, as provided for in proceeding Paragraph, the contribution and payment received or made by the political organization, association and other organization or its branch office during the period from the day of enforcement of this Law until the notification, as provided for in the preceding paragraph, shall be deemed to have been done after the notification as provided for in Article 8 or Article 18 which shall be applied with necessary modification.

Article 57. The Law for the Election of Members of the House of Representatives shall be partically amended as follows:

Article 101 shall be deleted.

Article 101-2 to 101-4 shall be deleted.

The following shall be inserted after Article 104.

"5. Tax or fee imposed by the State or Local Public entity in connection with the election campaign."

Article 105-109 shall be deleted.

In Article 111 One thousand (1,000) yen shall be read as Twenty-five Thousand (25,000) yen.

In Paragraph 1, Article 112, Twenty Thousand (20,000) yen shall be read as Fifty Thousand (50,000) yen and in Paragraph 2, same Article, Thirty Thousand (30,000) yen as "Seventy-five Thousand (75,000) yen.

In Paragraph 1, Article 113, Thirty Thousand (30,000) yen shall be read as Seventy-five Thousand (75,000) yen and in Paragraph 2, same Article Forty Thousand (40,000) yen to One Hundred Thousand (100,000) yen.

In Article 115, Thirty Thousand (30,000) yen shall be amended to Seventy-five Hundred (7,500) yen.

In Article 117, Ten Thousand (10,000) yen shall be read as Twenty-five Thousand (25,000) yen.

In Paragraph 1, Article 118, Five Thousand (5,000) yen shall be read as Fifteen Thousand (15,000) yen, and in Paragraph 2, same Article Twenty-Thousand (20,000) as Fifty Thousand (50,000) yen.

In Article 120, One Thousand (1,000) yen shall be read as Twenty-five Hundred (2,500) yen.

In Paragraph 1, Article 121, Ten Thousand (10,000) yen shall be read as Twenty-five Thousand (25,000) yen.

In Article 122, Twenty Thousand (20,000) shall be read as Fifty Thousand (50,000) yen.

In Article 124, Three Thousand (3,000) yen shall be read as Seventy-five Hundred (7,500) yen.

In Article 125, Five Thousand (5,000) yen shall be read as Fifteen Thousand (15,000) yen.

In Article 126, Ten Thousand (10,000) yen shall be read as Twenty-five Thousand (25,000) yen.

In Paragraph 1, Article 127, Five Thousand (5,000) yen shall be read as Fifteen Thousand (15,000) yen, in Paragraph 2, same Article Ten Thousand (10,000) yen as Twenty-five Thousand (25,000) yen and in Paragraph 3,4, same Article, Twenty Thousand (20,000) yen as Fifty Thousand (50,000) yen.

In Article 128. One Thousand (1,000) yen shall be amended to Twenty-five Hundred (2,500) yen.

In Article 129. Five Thousand (5,000) yen shall be read as Fifteen Thousand (15,000) yen.

In Article 130, Three Thousand (3,000) yen shall be amended to Seventy-five Hundred (7,500) yen.

In Article 131, "Article 99, Paragraph 4, Article 101, Article 105, Article 106 or Article 109" shall be read as "or Article 99" and Three Thousand (3,000) yen as Seventy-five Hundred (7,500) yen.

In Paragraph 1, Article 132, "or Paragraph 4, Article 101 or Paragraph 5" shall be deleted, and One Thousand (1,000) yen be read as Twenty-five Hundred (2,500) yen, and Paragraph 2, same Article shall be deleted.

Article 134-135 shall be deleted.

Article 58. The Law for the Election of Members of the House of Councillors shall be partially amended as follows.

Article 77, Paragraphs 2 and 3 shall be deleted.

Article 78 shall be deleted.

Article 80 to 82 shall be deleted.

In Paragraph 1, Article 84, Three Thousand (3,000) yen shall be read as Seventy-five Hundred (7,500) yen and in Paragraph 2, same Article, Five Thousand (5,000) yen shall be read as Fifteen Thousand (15,000) yen.

Article 85-86 shall be deleted.

In Article 87, "preceding 3 Articles" shall be read as "Article 84".

Article 59. With regard to the election, which was already conducted under the previous Law for the Election of members of the House of Representatives, the Law for the Election of Members of the House of Councillors or the Local Autonomy Law, or the election whose date was announced or noticed in accordance with the provisions of the laws above-mentioned, at the time of the enforcement of this Law, the previous provisions shall be applied, notwithstanding the preceding two articles.

The provisions of the preceding paragraph shall apply mutatis mutandis to the election to which the Chapter 12, of the Law for the election of Members of the House of Representatives is applied mutatis mutandis except the election, as provided for in the same paragraph.

LAW CONCERNING THE REGULATION OF CONTRIBUTIONS AND EXPENDITURES

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General Headquarters
Supreme Commander For The Allied Powers
Government Section

HAND BOOK AND LAWS for JAPANESE DIET ELECTIONS APRIL 1947

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CHAPTER ONE

Suggestions for Military Government Officers and Teams Observing National Campaigns and Elections

As with the forthcoming local government elections, the pending elections for Diet members inaugurate a new and highly significant phase of Japanese political life. These will be the first elections in Japanese history in which members of the Upper House will be chosen by the populace, the first national elections which have been supervised by representatives of the people rather than by the government, the first post-war elections in which there has been a clear-cut distinction between the parties in power and a recognized opposition, and, of course, the first elections for a Diet which under the terms of the new Constitution will become "the highest organ of state power" and "the sole law-making organ of the state."

In view of this historic importance and of the material influence which such elections will exert toward that revival and strengthening of democratic tendencies which forms a requirement of the Potsdam Declaration, it is imperative that the coming elections be so conducted as to ensure a free and positive expression of the will of the Japanese people. Assurance of such elections thus becomes a major responsibility of the Occupation Forces.

The Japanese election laws and ordinances provide adequate machinery for fair and impartial elections and spring from many years of experience. Though some provisions may seem inadequate by Western standards and others may appear to impose unnecessary restrictions, all have been carefully worked out and not only embrace but also regulate familiar Japanese customs and practices. If Japanese officials, therefore, faithfully execute the provisions of these laws, the desired type of election can be assured.

However, in the past, despite efforts to ensure fair elections, local administrative officials, mostly in conjunction with the desires and wishes of the central government, have frequently abused their authority. Prefectural governors and police under their control have at times intimidated opposition candidates, coerced voters, falsified returns, committed or failed to punish fraudulent and coercive practices, and by these and other devices used their positions to influence the outcome of elections. In order, therefore, to fulfill properly his duty of surveillance, each Military Government Officer will need to be especially watchful of the following coercive practices:

(1) Privileges granted to favored candidates.
(2) Unlawful exclusions from the registration lists.
(3) Interference by police or government officials with legal campaigning.
(4) Efforts of either major or petty political machines to buy votes with bribes of scarce commodities or cash.
(5) Excessive campaign expenditures, in cash or kind, or failure to report campaign expenditures. Failure of officials to publicize campaign expenditures.
(6) Excessive contributions by individuals.
(7) Interference with access to the polls or with free and secret voting.
(8) Denial of legitimate candidacy; illegal candidacy; evasion of the purge ordinances. Failure of proper officials to make purge questionnaires available for public inspection.

(9) Dishonest tabulation or reporting of results.
(10) Failure of authorities to prosecute violators.
(11) Use of violence, threats of violence, or other intimidation.
(12) Use by school teachers, school officials and members of educational associations of students below the age of twenty who are presently under the tutelage or influence of the aforementioned. (The purpose of such a prohibition is to prevent a candidate from taking advantage of his special relationship with school children and using them in a campaign).
(13) Efforts of any individuals or groups--landlords, labor union leaders, employers, etc.--to utilize economic pressure to influence voters.

To assist officers and election teams entrusted with surveillance of the forthcoming political campaigns and elections, the following suggestions have been prepared. Adherence on your part as Military Government officers to these recommendations will aid measurably in obtaining the fair and impartial elections which the governments of the Occupying Powers desire.

1. Study and examine carefully the provisions of the two laws which control the election of members of the Diet: Law for the Election of Members of the House of Representatives and Law for the Election of Members of the House of Councillors. Familiarize yourself with the provisions of the ordinances and instructions which implement these laws. Chapter Three of this publication includes the texts of the two pertinent laws and Chapter Four the most important of the applicable ordinances and instructions.

Each officer should have a working knowledge of election machinery, qualifications for candidacy and voting, campaign rights and restrictions, voting and tabulating procedures, supervisory procedures, methods of reporting expenditures, and punitive provisions. These points are summarized briefly in the following chapter.

2. Hold conferences with the important officials of the prefectures and of as many cities, towns, and villages as possible. There are two sets of officials concerned:

a. The Election Administration Committees of the prefectures, cities, towns, villages, and Tokyo wards (also referred to in some Japanese translations as "Commission for Overseeing" the elections) have primary jurisdiction over the campaigns and the elections, the prefectural committees* supervising the activities of all others. Because the committees have legal control of campaigns and elections and because they are new agencies of government, it is imperative that their importance and prestige be developed as rapidly as possible. Each Military Government officer and team will therefore be especially careful to recognize this new state of affairs and to indicate to all executives and to the committee his clear understanding of and insistance upon the supremacy of the committee in election affairs.

b. The governors, mayors, and chiefs of local entities are the legal administrators of their areas of government and therefore have certain responsibilities with respect

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* A national election administration committee also sits in Tokyo, but its powers over prefectural committees extend only to the election of members of the House of Councillors from the national constituency.

to campaigns and elections. These executives control the police, have authority to assign minor officials to assist in various capacities, and possess experience which may be useful.

At the initial conferences, at least, it is suggested that the whole Committee and the governor, mayor, or chief (depending upon which echelon is being contacted) be present in order that the same information can be given to all concerned at the same time. These officials should be advised of:

(1) The importance attached by the Supreme Commander to the absolute necessity of a completely free and fair election as one of the significant methods of achieving the aims of the Potsdam Declaration.

(2) The fact that personnel under your command will observe the administration of election laws from the inception of the first campaign until the results of the last elections are made public and that you will insist on conscientious and scrupulous enforcement of the election laws and ordinances and their punitive provisions.

(3) Your intention of exercising extensive surveillance on election day in particular.

(4) Your intention of utilizing all available channels of information to encourage the Japanese public to report directly to you all violations of the election laws, as well as all violations of civil or personal liberties, whether by candidates or by officials, in which Japanese authorities have failed to take necessary action.

(5) Your determination not to interfere with the administrative responsibility of the appropriate officials and your intention of referring to them for their action all complaints which are brought to your attention, meanwhile following closely the final disposition of all such cases.

(6) The fact that publicity on the entire program will be stressed to the utmost both by radio and the press.

In this connection, it should be noted that the voting districts as distinguished from the election districts for all Japanese elections being the same, the same election administration committees and the same local chief executives are concerned with all elections, both local and national, held in any given district. It is therefore desirable to discuss both local and national elections at the same time.

3. Hold conferences with executives of political parties and as many candidates as possible. Instruct them carefully in the points summarized in paragraph 2 above. Make it crystal clear that all violations will be publicized extensively by official statements, newspaper articles and the radio and that Occupation Forces will follow to their ultimate disposition all cases in which Japanese officials have not fulfilled their duties. At such conferences each officer must of necessity be extremely cautious not to be put in a position of criticizing or of taking sides with parties or candidates either directly or indirectly.

4. In connection with the above hear all complaints, bring to your attention, record them carefully, and refer valid ones to the appropriate Japanese authorities for action. Follow with all practicable speed the final disposition of such cases. Report to SCAP by the quickest means available

attention to the attempts of governmental officials to obtain control of political parties, women's organizations, youth groups, and the like, either by gaining appointment as advisors or honorary officers or by providing governmental subsidies. Unless they are bona fide members of such organizations and have been duly elected to office, government officials should not act as officers or advisors. Neither should the organizations be subsidized in whole or in part by governmental entities or offices.

6. Maintain complete records of your activities in this surveillance program and report them monthly in the routine Military Occupation Report according to the headings listed below:.

a. Activities of local officials and police.
b. Major parties and candidates.
(1) Meetings and campaign practices.
(2) Outstanding arguments and platforms.
c. Extent of local interest in the campaign and the attitudes of major groups and organizations: labor, business, religious, agricultural, cooperative or professional.
d. Summary of areas visited and contacts with Japanese officials.
e. Complaints and other evidence of delinquencies, malpractices, and other violations of the election laws, including those previously reported to SCAP by other means. Report on the disposition of these by Japanese officials.
f. Criticisms or incidents engendered by the Allied program of surveillance, as previously reported to SCAP.

The categories listed above will of course be expanded because each surveillance team will desire to include the unpredictable items which it will note. In addition, complete summary reports for each election by prefectures, detailing the progress of the entire campaign and election, should be forwarded to SCAP, via normal channels, within two weeks after each election is completed. Sample summary report forms for use in this connection have already been distributed to all concerned.*

7. Team organization and its area for contact and surveillance must be planned, scheduled and coordinated most carefully. Team composition of one officer, an enlisted man and an interpreter as used in the national elections last March and April was successful and can be set up again. The teams should perform as a functioning unit, hence, each must have instructions on courses of action and proper conduct before entering the field. Detailed advance planning, including learning and plotting the locations of polling places and ballot counting stations, is an essential prelude to election day. On election day observe as many polling stations as is practicable. Repeat visits at least twice. Ballots will be counted in the evening of election day and the following days until finished; stations in which the counting takes place should also be observed at least twice.

8. Above all, remember that it is essential that throughout the campaign a policy of strictest impartiality must be scrupulously maintained. Allied personnel must not participate

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* It should be noted that the national and local elections, added together, will require submission of five summary reports, one for each election. Two forms are involved; one was distributed with the command instructions for local elections and the other with the national elections command instructions.

in the campaign. They are observers only. Nothing in their word or in their behaviour should be permitted to indicate preference for or discrimination against any party or candidate no matter how great nor how lowly the position involved. Any incident which may embarrass the Occupation Forces and any criticism of the behaviour of the Occupation Forces must be reported immediately to SCAP. This is a Japanese election under Japanese laws and execution must be carried out by Japanese officials. In no case may you interfere with the administrative authority of these officials. Your duties are (1) to observe (2) to refer violations to Japanese officials following action to final disposition, and (3) to report to higher authority.

CHAPTER Two

Outline of National Election Procedures

The forthcoming national elections involve all seats in the Diet -- 466 in the House of Representatives and 250 in the House of Councillors. All members of the House of Representatives will be elected from sub-prefectural districts,* 150 members from the House of Councillors will be elected from prefectural districts, and the remaining 100 members of the upper House will be elected with all Japan considered as a single electoral district. In all elections, however, voting districts and ballot counting districts are the same, and coincide with those used in the local government elections.

The laws, ordinances, and instructions which control the Diet elections are substantially the same for both the House of Councillors and the House of Representatives elections, variations stemming from differences in the corporate structure of the two bodies rather than from an attempt to establish separate standards. As a matter of fact, the laws are so similar that it would have been entirely possible to hold the two elections simultaneously, with the same electorate and using the same election registers, the same polling stations, the same officials, the same ballot boxes, etc. In view of the importance of the present elections, however, and of the heavy work load involved in screening the purge questionnaires of the candidates for the two Houses, it was decided to separate the elections this year, though in future years, should election dates again coincide, it may well be that a single election will be held to elect members of both Houses. On April 20, therefore, each Japanese voter will cast one vote for a member of the upper House from his prefectural constituency and one vote for a member of the upper House from the nation at large. On April 25 each voter will cast one vote for members of the House of Representatives from the electoral district in which he lives.**

Election law excerpts (see Chapter Three) contain detailed information on Diet elections. Briefly, however, the laws provide as follows:

VOTERS: With a few exceptions all Japanese citizens 20 years or older, regardless of sex, are eligible to vote in the locality in which they have resided for at least six months.*** In addition, all repatriates otherwise

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* The 46 prefectures are divided into a grand total of 117 election districts: The remaining thirty-nine form electoral districts in themselves.

** Although each voter will cast only one vote for a candidate from the electoral district in which he lives, the number of candidates to be elected from each electoral district varies from 3 to 5.

*** In certain instances individuals who have moved from their usual domiciles are recognized as having a residual right to vote in the place of their usual domicile. However, the individuals are permitted to vote in only one of the two districts in which they possess the right to vote and prior to the election must indicate their preference.

eligible to vote are released from the six months requirements.* Exceptions in both instances include individuals who have been declared incompetent or quasi-incompetent or who are serving jail sentences.

Eligibility for voting, however, is not automatic but is contingent upon the appearance of an individual's name on the poll books of his voting district or upon his presentation, on election day, of a court certificate directing that his name be added to the list of voters.

Since polling districts are the same for all elections, national and local, and since voting requirements for all elections are substantially the same, the same poll books with minor exceptions, are used for all Japanese elections. Japanese law provides that the poll books must be completely checked once each year, commencing with September, with additional registration provided for prior to each election, to permit registration of individuals newly meeting such eligibility requirements as age, etc. Polling lists are available for inspection prior to each election to permit complaints and readjustments, and are therefore considered as final on election day.** Other than by court order, therefore, no individual may vote on election day if his name does not appear in the polling list of his election district.***

CANDIDATES. In general, any Japanese citizen with the right to vote who meets age requirements and has been passed by a purge committee is eligible for candidacy for the Diet. However, judges, public procurators, government auditors, election and revenue officials, and police officers in active service must resign before they are eligible for candidacy. Officials of national and local governments, as well as members of local assemblies, may not concurrently hold seats in the Diet. Candidacies for the House of Councillors must be filed at least 20 days before election -- candidacies for the House of Representatives at least 7 days before election.****

Candidates may not run for more than one seat in the same House at a time; candidates for the House of Councillors must be 30 years of age and those for the House of Representatives 25. No residence requirements are imposed, permitting candidates to run from any electoral district they wish.

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* This provision applies only to elections for members of the Diet. Six months residence is still required of all electors in the local elections.

** For the April elections the period of registration extended from March 18 to 24, and the period of inspection from March 29 to March 31. March 23 served as the key date for determination of age, residence, and similar requirements.

*** In certain special instances anprovisional ballot may be cast -- as on the assumption that he might receive the court order later in the day.

**** In case of the death or withdrawal of candidates after these dates, new nominations may be filed up to 10 and 2 days prior to the respective elections.

The normal term of office for members of the House of Councillors is 6 years, with half of the seats expiring every 3 years. However, in the present election, half of the seats at stake will be considered as six year seats and half as three. The top 50 percent based on total number of votes of the winning candidates in each electoral district will thus receive 6 year terms; the remaining 50 percent will receive 3 year terms. Stated term of office for all members of the House of Representatives is 4 years, though the lower House may be dissolved prior to that time and a new election required, as in the present instance.

ELECTION CAMPAIGNS. As pointed out in Chapter One, Japanese election laws provide for stringent regulation of election campaigns; the grave problem is not the substance of the law but its enforcement. Strict limitations are placed on the amount of money that may be spent and the ways in which it may be spent nor may candidates carry on house to house canvasses for votes.* Campaigns may not be opened until candidacies have been filed. Limitations are placed on the use of campaign letters, posters, and the like. Candidates must report at stated intervals during the campaign on their expenditures to date -- this information then being made public. However, candidates will be permitted to send post cards free of charge to electors in their constituencies and may also utilize public schools and other buildings for their campaign meetings.

Election bulletins, providing information about the candidates, are published by the prefectures and distributed. Names of all candidates will also be posted in a conspicuous place before the election, preferably at the entrance to a polling place. Details of all these points will be found in the laws.

SUPERVISION OF ELECTION. In the past Japanese elections have been supervised by local executives; governors, mayors, and headmen. In the forthcoming elections, for the first time in history, elections will be supervised by special committees, elected by local legislatures and responsible for the supervision of all elections, national or local, which are held in their areas of responsibility, which, with rare exceptions, coincide with the boundries of local entities of government. In each local entity an election administration committee has already been chosen, responsible to the public at large and charged with supervision of all elections conducted in its area of jurisdiction. Each city, town, village and Tokyo ward thus has a committee which exercises, on its own account, immediate control over elections in its own locality, under the general supervision of prefectural committees. Prefectural committees have six members, including a chairman; others have four.** The method of electing

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* Although no ordinance on this subject has been issued as of the date of publication of this Handbook, it was estimated that expenses for members of the House of Councillors from the national constituency would be about 70,000 yen and that 50,000 yen would be set as a limit for candidates for the House of Councillors from prefectural constituencies and for candidates for the House of Representatives.

** A special national committee, sitting in Tokyo, is responsible only for the supervision of the election of members of the House of Councillors from the national constituency, and will operate through the existing prefectural committees. The national committee will consist of ten members of the Upper House, elected from among the membership of that House.

committees permits bipartisan membership; a committee must meet at the request of any member. All complaints regarding elections are normally made, in the first instance, to the committee. These committees will have supervised their first elections on April 5th (in the voting for local chief executives) and by the time of the Diet elections the committees, although still somewhat inexperienced, will have already gained a fair amount of experience in supervision.

ELECTION PROCEDURES. Election procedures on the vote casting and ballot counting levels are the same for all Diet elections, since the same voting and counting districts are used for all elections. It is only at the higher, or tabulating levels, that procedures vary somewhat, in view of the varying sizes of the electoral districts and of the numbers of individuals to be elected. In this connection it might also be pointed out procedures for Diet elections are substantially the same as for local elections, so that knowledge of procedures for one class of election will serve as basic knowledge for all.

Under the general supervision of the respective elective administration committees, elections in each local entity are directed by a superintendent (or chairman) of elections, chosen by the committee. The superintendent, in turn, is assisted by superintendents of the polls and polling witnesses, superintendents of the counting of ballots and ballot counting witnesses, and election witnesses.* In general, these officials are required to possess the right to vote in the particular election which they are supervising.

With minor exceptions, each city, town, village, or ward constitutes a voting district, which may include one or more polling places.

Each polling place has a superintendent of the poll, appointed by the chairman of election, minor officials, and a number of polling witnesses (watchers) appointed by the candidates.** Each candidate has the right to nominate one polling witness at each polling place. Whenever the number of witnesses nominated for any polling place exceeds ten, the witnesses select ten from among their own number. If the number falls below three, the superintendent may appoint a registered voter as witness.

The superintendent and the officials are neutral; the polling witnesses are the direct representatives of the candidates and enjoy the normal prerogatives of challenge, etc. All decisions are made by the superintendent of the poll, with the advice of the polling witnesses; challenged ballots, in respect to which no immediate decision is reached, are placed in envelopes with the voters name marked thereon and later either counted or discarded.

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* Alternates are also named for all positions other than witnesses.

** The term "Superintendent of the poll" is also translated as "polling overseer" and the term "superintendent of the counting of ballots" as "ballot counting overseer."

Each superintendent of a poll is responsible for the proper conduct of the election machinery at his polling place. This includes maintenance of law and order, assurance of secrecy in voting, comparison of the names of prospective electors with polling lists, and the like. Procedure at the polls is relatively simple; names of prospective voters are checked against the polling list, voters receive ballot papers and designate their choice(or choices) thereupon. Ballots of blind voters are marked by Braille points. Procedures for absentee voting have also been established (see Chapter 4).

Except in cases in which the superintendent of the poll is also a superintendent of the counting of votes, at the close of the election the superintendent of the poll, accompanied by at least one witness, delivers the ballot box, the record of the polls, and the register of electors to a superintendent of the counting of the votes, at the nearest ballot counting station.

The latter superintendent is appointed by the election administration committee and is assisted by a number of witnesses for the counting of the votes, appointed by the candidates in the same way as the witnesses at the polls. The superintendent and witnesses are responsible for counting the votes, the superintendent having the power to decide on the validity of ballots previously questioned or on the validity of ballots which are improperly marked. As with polling places, a given local entity may have one or more ballot counting situations, the number being determined by population. All electors have the right to attend the counting of ballots in their respective districts. With a few exceptions, due to distances involved, ballots will be counted either on election day or on the day following.

The final step in election procedure is the election meeting. For the House of Representatives, and the prefectural constituencies of the House of Councillors, meetings will be held in each prefecture. For the national constituency of the House of Councillors the meeting will be held in Tokyo.* The meetings will be presided over by the superintendents of elections, assisted by election witnesses appointed by the candidates in the same manner as the witnesses at the polls and the witnesses at the counting of ballots. The meetings are open to all electors. Returns from the various ballot counting stations are received, tabulated according to the election districts involved, and the final returns then announced. For the House of Representatives this will involve determining a designated number of winners in each of the electoral districts into which the prefecture is divided. For the prefectural winners in the House of Councillors (since each prefecture is an electoral district in itself) this will require naming 2, 4, 6, or 8 victors for the prefecture as a whole.

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* However, an "election sub-meeting" will be held in each prefecture to tabulate the prefectural vote for candidates from the national constituency.

In respect to the national constituency of the House of Councillors, the committee in Tokyo will determine the 100 candidates from the whole of Japan who received the largest number of votes. For election from this national constituency, a candidate must receive a minimum of 12½ percent of the valid votes cast for the office in question; for election from the other constituencies 25 percent of the votes cast for any vacancy is required.

VALIDITY OF ELECTIONS. Complaints concerning the validity of elections are filed with the appropriate court. When the legal provisions governing elections are violated, elections may be voided either in whole or in part, if the violation is deemed likely to affect the returns.

RE-ELECTIONS. In the past, Japanese laws have been designed to avoid re-elections wherever possible. In consequence, in case of the death, purging, disqualification, or resignation of an office holder, the normal practice has been to recognize the runner-up in the last previous election as entitled to succeed to a position. Certain minimum standards were established; the runner-up for example, needed to receive the minimum number of votes required for the elected candidate. In the present election, however, these regulations have been changed and, in general, the period during which a runner-up may succeed to a vacancy is five days from the date of announcement of results -- the period allowed the winning candidate to decide if he wishes to accept the position. In all other instances, new elections will eventually be held in the electoral districts concerned -- normally when the number of vacancies exceeds 25 percent of the members from that district with the same term of office. Individuals filling vacancies succeed only to the unexpired term of their predecessors.

VIOLATIONS OF ELECTION LAWS. Stringent penalties are provided for all possible violations of Japanese election laws, with fines or penal sentences as punishment. Offenses include bribery, forgery, violence, intimidation, abduction, neglect of duty or abuse of authority by officials, and the like. In the event victorious candidates or their authorized representatives are found guilty of violations of the election law, elections are invalidated. Complaints will be filed with the appropriate court, which will have the power to invalidate an election. If such is done, criminal charges will then be preferred by the public procurator.

CHAPTER 12 THREE

12

LAW FOR THE ELECTION OF MEMBERS OF THE HOUSE OF COUNCILLORS

Chapter I.

General Provisions

Article 1. The number of members of the House of Councillors shall be two hundred and fifty (250), to be divided into 150 members from the prefectural constituency and 100 members from the national constituency.

Members from the prefectural constituency shall be elected in each of the election districts. The election districts and the number of members to be returned for each of such districts shall be stipulated in the annex.

Members from the national constituency shall be elected in a single constituency comprising the Metropolis, the District (Dō) and all the Prefectures.

NOTE: Requirements for candidacy from both national and prefectural districts are the same and any candidate has the further right to run from any constituency he desires, regardless of the location of his residence. The number of seats (2, 4, 6, or 8) from each of the prefectural constituencies is determined by population and ends in an even number to permit half of the six year terms from each constituency to expire every three years.

Article 2. The voting districts and the ballot-counting districts shall conform respectively to those districts for the election of members of the House of Representatives.

NOTE: House of Representatives voting and ballot counting districts conform, in turn, to districts utilized for the local elections.

Chapter II.

Voting Right and Eligibility

Article 3. Any person who has the right to vote in the election of members of the House of Representatives shall have the same right in the election of members of the House of Councillors.

Article 4. Any Japanese national who is over thirty (30) years of age shall be eligible for election of the members of the House of Councillors.

Article 5. Any person who has been declared incompetent or quasi-incompetent, or who has been condemned to penal servitude or confinement and whose term of punishment has not been completed or is yet to be executed shall neither be eligible for election nor possess the right to vote.

Article 6. Commissioners for Overseeing the Election of members from the national constituency, Commissioners for Overseeing the Election of members of the Metropolitan Assembly, Commissioners for Overseeing the Election of members of the District and Prefectural assemblies, Commissioners for Overseeing the Election of members of the Municipal, Town and Village Assemblies, secretaries of the Commission for Overseeing the Election of Members from the national constituency, Commission for Overseeing the Election of Members of the Metropolitan Assembly, Commissions for Overseeing the Election of

members of the District and Prefectural Assemblies, Commissions for Overseeing the Election of members of the Municipal, Town and Village Assemblies, Voting Overseers, Ballot-Counting Overseers, Chairman of the Election Submeeting, Chairmen of Election and Government and public officials who are connected with affairs pertaining to election shall not be eligible for election within the respective districts with which they are concerned in such capacities.

Article 7. Judges, Public Procurators, Government Auditors, revenue officials and police officers in active service shall not be eligible for election.

Article 8. Any person who holds a post which shall not be held concurrently with membership in the House of Representatives shall not become concurrently a member of the House of Councillors.

Chapter III

Election

Article 9. A regular election shall take place within thirty (30) days before the date of expiration of the term of office for the members.

When the period for a regular election to be held according to the preceding paragraph comes during the session of the House of Councillors or within thirty (30) days after its close, a regular election shall take place not earlier than thirty-first (31) days and not later than thirty-five (35) days after its close.

The date of a regular election shall be proclaimed not less than thirty (30) days in advance.

Article 10. Election shall be conducted by ballot.

Article 11. The electoral lists for the election of members of the House of Representatives shall be used for the election of members of the House of Councillors.

Article 12. Affairs pertaining to the election of Members from the prefectural constituency shall be taken charge of by the Commission for Overseeing the Election of Members of the Metropolitan Assembly and the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies. The Commission for Overseeing the Election of Members of the Metropolitan Assembly and the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies shall direct and supervise the Commission for Overseeing the Election of Members of the Municipal, Town and Village Assemblies, with regard to affairs pertaining to the election of Members from the prefectural constituency.

Article 13. There shall be instituted a Commission for Overseeing the Election of Members from the national constituency to oversee affairs pertaining to the election of Members from the national constituency.

The Commission for Overseeing the Election of Members from the national constituency shall be placed under the jurisdiction of the Minister for Home Affairs and be composed of ten (10) Commissioners for Overseeing the Election of members from the national constituency.

Article 14. The Commissioners for Overseeing the Election of Members from the national constituency shall be elected in the House of Councillors from among ~~its~~ the members of the House of Councillors.

The term of office of the Commissioners for Overseeing the Election of Members from the national constituency shall be three (3) years. However, the term of office of Commissioners shall be the remaining period of the term of office of their predecessors.

Article 15. The Commission for Overseeing the election of Members from the national constituency shall direct and supervise the Commission for the election of Members of the Metropolitan Assembly and the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies, with regard to affairs pertaining to the election of Members from the national constituency.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly and the Commissions for Overseeing the Election of members of the District and Prefectural Assemblies shall direct and supervise the Commissions for Overseeing the Election of Members of the Municipal, Town and Village Assemblies, with regard to affairs pertaining to the election of Members from the national constituency.

Article 16. The Commission for Overseeing the Election of Members from the national constituency shall elect one Chairman from among the Commissioners.

The Chairman shall superintend affairs pertaining to the Commission and represent it.

Article 17. The Commission for Overseeing the Election of Members from the national constituency shall not open its meeting without the attendance of not less than half of the Commissioners.

All matters at the meeting of the Commission shall be decided by a majority of those Commissioners who are present, and in case of a tie, the Chairman shall decide the issue.

NOTE: Meetings may be called at the request of any member of the committee.

Article 18. There shall be instituted secretaries in the Commission for Overseeing the Election of Members from the national constituency, whom the Chairman superintends and who shall be engaged in the business pertaining to the Commission.

The secretaries shall be appointed and dismissed by the Chairman.

Article 19. In addition to the provisions of this law and of ordinances to be issued in accordance therewith, necessary matters pertaining to the Commission for Overseeing the Election of Members from the national constituency shall be decided by the Commission.

Chapter IV

Voting

Article 20. Each elector shall cast only one ballot in the election of Members from the prefectural constituency and in that of members from the national constituency respectively.

Article 21. Voting Overseers shall be selected and appointed by the Commissions for Overseeing the Election of Members of the Municipal, Town, and Village Assemblies, from among those who have the right to vote in the election of members of the House of Councillors.

When the election of Members from the prefectural constituency and that of Members from the national constituency take place at the same time the Commissioners for Overseeing the Election of Members of the Municipal, Town and Village Assemblies may appoint the Voting Overseers for the Election of Members from the prefectural constituency concurrently to the Voting Overseers for the election of Members from the national constituency.

Voting overseers shall take charge of affairs pertaining to election.

Article 22. Candidates for membership may choose one (1) person who will be a Voting Witness, from among those registered in the electoral list of each voting district, with his consent, and report the choice to the Voting Overseer not later than two days before the date of the election.

In case those reported as provided for in the preceding paragraph (excluding those reported by candidates for membership who have died or withdrawn their candidacy; the same applies hereinafter) do not exceed ten (10) in number, they shall at once be Voting Witnesses, and in case they are more than ten (10), ten (10) Voting Witnesses shall be elected by mutual vote from among those reported.

When the number of the Voting Witnesses provided for in the preceding paragraph does not reach three (3) or has decreased to less than three (3), or when the number of the Voting Witnesses who have attended at the polling place has not reached three (3) by the time to open it or has decreased to less than three (3) after it has been opened, Voting Overseers shall select and appoint such number of Voting Witnesses as makes their total number three (3), from among those registered in the electoral list of the electoral district concerned and immediately notify those who have been selected and appointed, to witness voting.

Voting Witnesses shall not resign their offices without proper reason.

NOTE: Since candidates themselves cannot be present at all polling stations involved in the elections in which they are interested, they are permitted to send one witness to represent them at each polling place. Candidates are not obligated to send witnesses; this is a right which they may exercise if they so desire. The witnesses are volunteers who agree to represent the candidates; once they have agreed to serve they may not resign without reason. If there are more than ten witnesses at any polling place, they elect ten from among themselves; if there are less than three the superintendent of the poll makes such appointments, from among electors, as are necessary to bring the number to three. Similar provisions with respect to witnesses apply to the counting of ballots and the election meetings.

Article 23. Every elector shall enter by himself the full name of one candidate in a ballot at a polling-place in the election of Members from the prefectural constituency or in the election of Members from the national constituency respectively and cast it in a ballot-box.

The name of an elector shall not be entered in a ballot.

Article 24. Denial of voting shall be decided by the Voting Overseer, after consultion with Voting Witnesses.

When an elector whose voting has been subjected to the decision provided for in the preceding paragraph is not satisfied with it, the Voting Overseer shall provisionally allow him to cast a ballot.

The ballot mentioned in the preceding paragraph shall be sealed in an envelope by the elector, who shall cast it, writing by himself his full name on the envelope.

The preceding two paragraphs shall apply to an elector whose voting has been objected to by Voting Witnesses.

NOTE: It is important to note that (1) the superintendents of the poll may deny the voter the right to vote only after consultation with voting witnesses; (2) if in spite of the denial the voter still considers that he has a right to vote, he is permitted to cast a so-called "provisional" ballot.

Article 25. If, in the case of an island or any other place without adequate means of transportation, it is deemed impossible to send the ballot-box on the day of voting, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies may fix a convenient date for voting in the locality concerned and cause the ballot-box, minutes of the voting and electoral list to be sent by the date for ballot-count.

Article 26. When, on account of natural calamity or other unavoidable circumstances, it is impossible to carry out the voting or it is necessary to have the voting again, the Voting Overseers shall so notify the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies through the Chairman of Election (Chairman of the Election Sub-Meeting in the case of the election of Members from the National Constituency.) In such a case the Commission concerned shall cause the voting to be carried out by fixing a new date, which shall be proclaimed not less than five days beforehand.

Article 27. When a regular election and the election provided for in Article 62 or Article 68 or Article 71 take place at the same time, they shall be absorbed into one election for Members from the prefectural constituency and for Members from the national constituency respectively.

NOTE: This article has in view bye-elections necessitated by deaths, withdrawals of members, etc. If such bye-elections coincide with a general election, the two are combined into one.

Article 28. In addition to the provisions of this law and of ordinances to be issued in accordance therewith, the voting for members of the House of Councillor shall conform to the voting for members of the House of Representatives.

Chapter V
Chapter
Counting of Ballots

Article 29. Ballot-Counting Overseers shall be selected and appointed by the Commissions for Overseeing the Election of Members of the Municipal, Town and Village Assemblies from among those who have the right to vote in the election of members of the House of Councillors.

When the election of Members from the prefectural constituency and that of members from the national constituency take place at the same time, the Commission for Overseeing the election of Members of the Municipal, Town and Village Assemblies may appoint the Ballot-Counting Overseers for the election of members from the prefectural constituency concurrently to the Ballot-Counting Overseers for the electi election of members from the national constituency.

Ballot-Counting Overseers shall take charge of affairs pertaining to the counting of Ballots.

Article 30. The provisions of Article 22 shall apply mutatis mutandis to Ballot-Counting Witnesses.

Article 31. The counting of ballots shall be effected on the day of voting or on the following day (in case there are more than one voting district within the ballot-counting district, on the day when all the ballot-boxes are received or on the following day).

Article 32. The Ballot-Counting Overseer shall, in the presence of Ballot-Counting Witnesses, open the ballot-box and examine the votes coming under the provisions of Article 24, paragraphs 2 and 4, and, after consultation with Ballot-Counting Witnesses, decide whether or not these ballots are acceptable.

The Ballot-Counting Overseer, togehher with Ballot-Counting Witnesses, shall examine the ballots for each city, town or village or any other district specified by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies.

As soon as the examination of the ballots has been finished, the Ballot-Counting Overseer shall report the result to the Chairman of Election (Chairman of the Election Sub-Meeting in the case of the election of Members from the National constituency).

Article 33. The validity of ballots shall be decided by the Ballot-Counting Overseer, after consultation with Ballot-Counting Witnesses.

Article 34. Any of the following votes shall be invalid.

1. A vote for which a regular ballot-paper has not been used.
2. A vote on which the name of a person who is not a candidate is entered.
3. A vote on which the names of two or more candidates have been entered.
4. A vote on which the name of a person who is not eligible has been entered.

5. A vote on which other matters in addition to the name of a candidate have been entered. But the profession, social status, address or a title of honour of the candidate may be written on.

6. A vote on which the name of a candidate has not been written by the voter himself.

7. A vote by which it is impossible to ascertain the name of the candidate entered.

8. A vote on which the name of a person who is a member of the House of Councillors has been entered.

The provisions of the item numbered 8 in the preceding paragraph shall apply to the election held in accordance with the provisions of Article 62 or Article 68 or Article 71.

The provision of the item numbered 8 in the preceding paragraph shall apply, in the case of a regular election also, to a vote on which the name of a Member of the House of Councillors who is either a Member from the prefectural constituency or a Member from the national constituency, with a longer term of office, has been entered.

Article 35. The Ballot-Counting Overseer shall keep minutes of the ballot-counting, in which shall be recorded all matters relating to the ballot-counting, and affix his signature thereto together with Ballot-Counting Witnesses.

Article 36. Ballots shall be sorted into lots that are valid and those that are invalid and shall be preserved, together with the minutes of the voting and the minutes of the ballot-counting, by the Commissioners for Overseeing the Election of the Municipal, Town and Village Assemblies during the term of office of the members elected.

Article 37. The provision of the principal sentence of Article 26 shall apply mutatis mutandis to the counting of ballots.

Article 38. In addition to the provisions of this law and of ordinances to be issued in accordance therewith, the counting of ballots in the election of members of the House of Councillors shall conform to the counting of ballots in the election of members of the House of Representatives.

Chapter VI

Election Meeting and Election Sub-Meeting

Section 1. Election Meeting for Members from the Prefectural constituency

Article 39. The Chairman of Election shall be selected and appointed by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies from among those who have the right to vote in the election of members of the House of Councillors.

The Chairman of Election shall take charge of affairs pertaining to election meeting.

NOTE: It should be noted that the same individual might conceivably serve as a superintendent of the poll, superintendent of the counting of votes and a superintendent of the election, just as a candidate might designate the same witness for each of these three steps.

Article 40. The election meeting shall be held at the Metropolitan, District or Prefectural Office of a place designated by the Chairman of Election.

Article 41. The provisions of Article 22 shall apply mutatis mutandis to Election Witnesses.

Article 42. The Chairman of Election shall hold an election meeting on the day when the report provided for in Article 32, paragraph 3, is received from every Ballot-Counting Overseer or on the following day and shall examine such reports in the presence of Election Witnesses.

In case a part of an election has become invalid and a new election has been held, the Chairman of Election shall, upon receipt of the report provided for in Article 32, paragraph 3, examine such report anew together with the report concerning the other part of the election in accordance with the provisions of the preceding paragraph.

Article 43. The Chairman of Election shall make minutes of the election, in which shall be recorded all matters relating to the election meeting and affix his signature thereto together with Election Witnesses.

The minutes of the election shall be preserved, together with documents relating to the report mentioned in Article 32, paragraph 3, by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies during the term of office of the members elected.

Article 44. The provisions of the principal sentence of Article 26 shall apply mutatis mutandis to the election meeting.

Article 45. In addition to the provisions of this law and of ordinances to be issued in accordance therewith, the election meeting in the election of members of the House of Councillors shall conform to the election meeting in the election of members of the House of Representatives.

Section II. Election Sub-Meeting and Election Meeting for Members from the national constituency.

Sub-section 1. Election Sub-Meeting.

Article 46. The election sub-meeting shall be held at the Metropolitan, District and Prefectural Office or a place designated by the Chairman of the Election Sub-meeting.

NOTE: The election sub-meetings are held only for the election of councillors from the national constituency; at such meetings the election of councillors does not take place (this is done at the election meeting foreseen in Article 50). The only function of such sub-meetings is to confirm the correctness of the reports of the superintendents, to bring together their data and to report this to the Chairman of Election in Tokyo.

Article 47. As soon as the examination in accordance with the provisions of Article 42, which are applied mutatis mutandis in Article 48, has been finished, the Chairman of the Election Sub-Meeting shall submit a report of the result to the Chairman of Election, together with a copy of the minutes of the election.

Article 48. In addition to the provisions of the preceding two Articles, the provisions of the preceding Section shall be applied mutatis mutandis to the election sub-meeting.

Article 49. The Chairman of Election shall be selected and appointed by the Commission for Overseeing the Election of Members from the national constituency from among those who have the right to vote in the election of members of the House of Councillors.

The Chairman of Election shall take charge of affairs pertaining to election meeting.

Article 50. The election meeting shall be held at a place designated by the Chairman of Election.

Article 51. The Chairman of Election shall hold an election meeting on the day when the report provided for in Article 47 is received from every Chairman of the Election Sub-Meeting or on the following day and examine such reports in the presence of Election Witnesses.

In case a part of an election has become invalid and a new election has been held, the Chairman of Election shall, upon receipt of the report provided for in Article 47, examine such report anew, together with the report concerning the other part of the election in accordance with the provisions of the preceding paragraph.

Article 52. The Chairman of Election shall make minutes of the election, in which shall be recorded all matters relating to the election meeting, and affix his signature thereto together with Election Witnesses.

The minutes of the election shall be preserved, together with documents concerning the report provided for in Article 47, by the Commission for Overseeing the Election of Members from the national constituency during the term of office of the members elected.

Article 53. The provisions of Articles 41, 44 and 45 shall apply mutatis mutandis to the election meeting.

Chapter VII

Candidates and Persons Elected

Section I. Candidates for and Persons Elected as Members from the prefectural constituency.

Article 54. A person who desires to become a candidate shall so notify the Chairman of Election between the day on which the date for election is proclaimed or given public notice and the twentieth (20th) day preceding the date for election.

When a person whose name is registered in the electoral

list desires to name another person as a candidate, he may notify his recommendation with the consent of the person recommended during the period stipulated in the preceding paragraph.

In case the number of candidates notified during the period stipulated in the preceding two paragraphs exceeds the number of members to be elected, and any of the candidates dies or withdraws his candidacy after the period has expired, notification of candidacy or recommendation of a candidate may be made in conformity with the preceding two paragraphs, up to the tenth (10) day preceding the date for election.

A person who has become a candidate in one electoral district shall not notify his candidacy or approve the notification recommending him as a candidate in another electoral district.

A person who has become a candidate for a Member from the national constituency shall not notify his candidacy, or approve the notification recommending him as a candidate, for a Member from the prefectural constituency.

A candidate shall not withdraw his candidacy without having notified the Chairman of Election.

Upon receipt of the notification provided for in paragraph 1 to 3 and the preceding paragraph or information of the death of a candidate, the Chairman of Election shall immediately give public notice of the fact.

NOTE: According to this article the candidate would normally file first notice twenty days before the day of election; in this instance before 1 April. However, the necessity of filing questionnaires for screening has served this year to provide a de facto announcement in advance of the usual date.

The practice of recommendation of candidates, mentioned in paragraph 2, is wide-spread in Japan; it should be noted that the law now demands that the recommended person give his consent. The purpose of this is (1) to prevent the advancement of the same candidacy in two or more prefectures; (2) to prevent cases in which a person elected might refuse to become a Councillor because he had never intended to become one. Also, the law forbids the same persons' standing as a candidate for the national constituency and prefectural constituency at the same time.

A candidate may not withdraw his candidacy without having notified the chairman of election. This is required in order to avoid opening of vacancies on the very day of the election.

Article 55. A person who desires to notify his candidacy or who desires to notify recommendation of a candidate shall deposit five thousand (5,000) yen in cash or national loan bonds of the same face value for each candidate.

The deposit provided for in the preceding paragraph shall belong to the national treasury in case the total number of votes for a candidate for whom the deposit has been made does not reach one-tenth of the total number of valid votes in the electoral district concerned divided by the number of members to be returned for that district in a regular election.

The provision of the preceding paragraph shall apply mutatis mutandis in cases where a candidate has withdrawn his candidacy within ten (10) days before the date for election, unless such withdrawal is due to loss of eligibility.

NOTE: The purpose of the deposit required by this article is to eliminate candidates who have no hope of being elected; in this way the voters should be less confused by a great number of candidates and the government's expenses for the campaign will be smaller.

Article 56. The candidate who has obtained the greatest number of valid votes shall be declared elected; provided, however, that the number of votes obtained shall be one-fourth or more of the total number of valid votes in the electoral district concerned divided by the number of members to be returned for that district in a regular election.

In case the elections for the Members of the different terms of office are combined, the candidates who obtained the necessary votes under the proviso of Paragraph I shall be determined in the order of the number of their respective votes as the elected, starting from the members with a longer term of office.

If there are persons who have obtained the same number of votes, the Chairman of Election shall determine the person elected by drawing lots at an election meeting.

In cases where the person elected can be determined without holding a new election in consequence of the litigation provided for in Article 73, such a person shall be determined at an election meeting.

When a person elected has declined election or has been dead, or when his election has become invalid in accordance with the provisions of Article 57, an election meeting shall be held immediately to determine the person elected from among those who have obtained such number of votes as mentioned in the proviso of paragraph 1 but have not been elected.

When any of the causes mentioned in Article 62, paragraph 1, items numbered 5 and 6, has occurred during the period stipulated in Article 61 and there are persons who have obtained such number of votes as mentioned in the proviso of paragraph 1, or when such a cause has occurred after the expiration of that period and there are persons who have obtained votes and to whom the provisions of paragraph 3 are applicable, an election meeting shall be held to determine the person elected from among the above-mentioned persons.

The provisions of paragraph 2 shall apply mutatis mutandis in cases where the causes mentioned in the preceding three paragraphs have occurred simultaneously or consecutively with regard to the persons elected in the combined election of members with different terms of office.

In any of the cases mentioned in paragraphs 4 to 6, when a person who has obtained such number of votes as mentioned in the proviso of paragraph 1 but has not been elected, becomes ineligible for election after the date of the election, he shall not be determined as the person elected.

NOTE: The expression "the candidate who has obtained the greatest number of valid votes shall be declared elected" naturally does not mean that only one candidate will be declared elected: the number will depend upon the number of seats assigned to the prefecture.

Article 57. When the person elected becomes ineligible for election after the date of the election, he shall forfeit election.

NOTE: This article is not applied to a person who moves his residence from prefecture to another, because a Japanese citizen otherwise eligible, may file his candidacy for councillor in any prefecture. But if he becomes elected, say, to the position of a governor, or is convicted of fraud in connection with his election, he would lose his seat in the House of Councillors.

Article 58. In case the number of candidates notified in accordance with the provisions of Article 54, prargraphs 1 to 3, does not exceed the number of members to be returned in the election, there shall be no election in the electoral district concerned.

When there is no voting in accordance with the provisions of the preceding paragraph, the Chairman of Election shall so notify the Voting Overseer immediately and at the same time give public notice of the fact and also report it to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned.

Upon receipt of the report mentioned in the preceding paragraph, the Voting Overseer shall immediately give public notice thereof.

In the case mentioned in paragraph 1, the Chairman of Election shall hold an election meeting within five (5) days from the date of the election and determine the candidates as elected.

In case there is a combined election for the Members with the different terms of office and the provision of paragraph 1 is applicable, the candidates shall be determined by lot as the elected for the members with a longer term of office.

In the cases mentioned in the preceding two paragraphs, it shall be decided by the Chairman of Election, after consultation with Election Witnesses, whether or not the candidates are eligible for election.

NOTE: This article deals with a highly improbable case in which the number of candidates is equal to or smaller than the number of vacancies.

Article 59. When the person elected has been determined, the Chairman of Election shall immediately notify him of his election and at the same time give public notice of his name and also report his name, the number of votes he has obtained, the total number of valid votes in the election and other minutes of the election to the Commission f for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned.

When there is no person elected or the number of the persons elected does not reach the number of members to be returned in the election the Chairman of Election shall immediately give public notice of the fact and also report it to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of members of the District on Prefectural Assembly concerned.

Article 60. Upon receipt of notification of election, the person elected shall notify the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned whether or not he accepts election.

Article 61. When a person elected has failed to notify his acceptance of election within ten (10) days from the day he received notification of election, he shall be considered to have declined election.

NOTE: According to Articles 59, 60, 61, the candidate should be immediately notified of his election by the election commission, after which the candidate, in ten days' time, should inform the commission whether he accepts his election or declines. This point is very important, because a successful candidate may think that through the fact of his election he becomes a councillor and no additional action is needed. Measures must be taken to inform the candidates of the necessity of filing an acceptance. Article 10 of the Additional Provisions of this law reduces this acceptance period to five (5) days for this present election.

Article 62. When, in an election of members with the same term of office, any of the cases mentioned in the following numbered items has occurred, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall cause a new election to be held by fixing its date and giving public notice thereof at least not later than thirty (30) days preceding it, unless the person elected can be determined without holding a new election; provided, however, that this does not apply in cases where public notice of the date for election has been given with regard to the same person on account of causes other than the following or in accordance with the provisions of Article 71;

1. When there is no person elected or the number of persons elected does not reach the number of members to be returned in the election.

2. When the person elected has declined election or has been dead. died.

3. When the person elected has forfeited election in accordance with the provisions of Article 57.

4. When, in consequence of the litigation provided for in Article 73, there has ceased to exist a person elected or the number of persons elected has ceased to reach the number of members to be returned in the election.

5. When the election of a person has become invalid because of the fact that a person who has superintended the election campaign of the person elected has been sentenced to a punishment on account of a crime related to election.

6. When the election of a person has become invalid because of the fact that he has been sentenced to a punishment on account of a crime related to election.

The election provided for in the preceding paragraph shall not be held during the period allowed for filing and litigation provided for in Article 73. The same shall apply in cases where such a litigation has been filed and is still pending.

The date of election mentioned in paragraph 1 shall not be later than thirty-five (35) days after the date of expiration of the period allowed for filing the litigation provided for in Article 73, or the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Member of the District or Prefectural Assembly concerned has received the notification provided for in Article 75, when the litigation provided for in Article 73 is filed.

When any of the cases mentioned in the numbered items of paragraph 1 has occurred within six (6) months preceding the end of the term of office of members, the election provided for in paragraph 1 shall not be held.

Article 63. When the person elected has accepted election, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned shall immediately furnish him with a certificate of election and give public notice of his name and report it to the Minister of Home Affairs through the Governor of the Metropolis, District or Prefectural concerned.

Article 64. When the election in an electoral district or the election of a person has become invalid in consequence of the litigation provided for in Chapter IX or when the election of a person has become invalid because of the fact that he has been sentenced to a punishment on account of a crime related to election, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned shall immediately give public notice.

Section II. Candidates for and Persons Elected as Members from the national constituency.

Article 65. A person who has become a candidate for a Member from the prefectural constituency shall not notify his candidacy, or approve the notification recommending him as a candidate, for a Member from the national constituency.

Article 66. When the numbered votes for a candidate does not reach one-tenth of the total number of valid votes

divided by the number of the members to be returned in a regular election; the deposit made for him in accordance with the provisions of Article 55, which are applied mutatis mutandis by Article 69, shall belong to the national treasury.

Article 67. A person who has obtained the greatest number of valid votes shall be declared elected; provided, however, that the number of votes obtained shall be one-eighth or more of the total number of valid votes divided by the number of members to be returned in a regular election.

NOTE: According to Article 56 the candidate from the prefectural constituency needs a minimum of one-fourth of the average number of votes per seat (i.e. if the number of votes cast is two million and the number of councillors from that prefecture is eight, the minimum needed in order to be elected is 62,500); yet the minimum needed for a candidate from the national constituency is only one-eighth. This was done because of the expectation that in the election from the national constituency with one hundred councillors to be elected the votes may be concentrated on a few famous names, so that only a small portion of the seats would be filled, if the one-quarter provision were preserved. Thus for the sake of expediency a principle found in all other election laws (that a minimum of 25% of the votes cast for a vacancy should be received by a successful candidate) has been altered.

Article 68. When, in an election of members with the same term of office, any of the cases mentioned in the numbered items of Article 62, paragraph 1, has occurred, and if the person elected cannot be determined without holding a new election, or if, with the person elected having been determined without holding a new election, there still remain a number of vacancies of persons elected which, added by the number of the vacancies mentioned in Article 71, paragraph 1, exceeds one-fourth of the number of members to be returned in a regular election, the Commission for Overseeing the Election of Members from the national constituency shall cause a new election to be held by fixing its date and giving public notice thereof not later than thirty (30) days preceding it; provided, however, that this does not apply in cases where public notice of the date for election has been given with regard to the same person on account of causes other than the above-mentioned.

When the number of vacancies of persons elected in an election of members with the same term of office, added by the number of the vacancies of members mentioned in Article 71, Paragraph 1, does not exceed one-fourth of the number of members to be returned in a regular election but an election of members with different terms of office has to be held, such election and a new election shall be held simultaneously, regardless of the provisions of paragraph 1; provided, however, that this does not apply in cases where the case mentioned in the preceding paragraph has occurred after public notice of the date for the election of members with different terms of office was given.

The date for election mentioned in the preceding paragraph shall be the date for the election of members with different terms of office.

The provisions of Article 62, paragraphs 2 to 4, shall apply mutatis mutandis in the cases mentioned in paragraphs 1 and 2.

Article 69. The provisions of Article 54, paragraphs 1 to 3 and paragraphs 6 and 7, Article 55, paragraphs 1 and 3, Article 56, paragraphs 2 to 8, Articles 57 to 61, Article 63 and 64 shall apply mutatis mutandis to candidates for and persons elected as Members from the national constituency; provided, however, that "preceding paragraphs" in Article 55, paragraph 3, shall read "Article 66," "the proviso of paragraph 1" in Article 56, paragraphs 5, 6, and 8, shall read "the proviso of Article 67," "Article 62, paragraph 1, items numbered 5 and 6" in the same Article, paragraph 6, shall read "Article 68," and "Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of members of the District or Prefectural Assembly concerned" in Article 58, paragraph 2, Articles 59, 60, 63 and 64 shall read "Commission for Overseeing the Election of members from the national constituency."

Chapter VIII

Term of Office for Members and Filling Vacancies

Article 70. The term of office for the members shall be counted as from the date following the date of expiration of the term of office for the members elected in the previous regular election.

However, it shall be counted as from the date of a regular election in case the regular election is held after the date following the date of expiration of the term of office for the members elected in the previous regular election.

Article 71. In case vacancies of members with the same term of office have occurred, no by-election shall be held until the number of such vacancies (to be added by the number of the vacancies of persons elected mentioned in Article 68, Paragraph 1, in the case of Members from the national constituency) exceeds one-fourth of the fixed number of members to be returned for the electoral district concerned in a regular election (one-fourth of the fixed number of members to be returned in a regular election in the case of Members from the national constituency).

When a vacancy of membership has occurred, the Minister of Home Affairs shall, within five days after receipt of a communication to that effect from the President of the House of Councillors, so notify the Commission for Overseeing the the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned (the Commission for Overseeing the Election of Members from the national constituency in the case of members from the national constituency) through the Governor of the Metropolis, District or Prefecture concerned.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies (the Commission for Overseeing the Election of Members from the national constituency in the

case of a Member from the national constituency) shall, upon receipt of the notification provided for in the preceding paragraph, immediately notify the Chairman of Election that a vacancy has occurred, ~~in~~ the member, whose office has become vacant, vacated his office during the period mentioned in Article 61 and there is a candidate who has obtained such number of votes as provided for in the proviso of Article 56, paragraph 1 (the proviso of Article 67 in the case of a Member from the national constituency) but has not been elected, of if such a member vacated his office after the expiration of such period and there is a candidate to whom the provisions of Article 56, paragraph 3, have been applied but who has not been elected.

The Chairman of Election shall within twenty (20) days after receipt of the notification provided for in the preceding paragraph, determine a person elected by applying mutatis mutandis the provisions of Article 56, paragraphs 3 and 5 to 8.

Upon receipt of the notification provided for in paragraph 2, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies (the Commission for Overseeing the Election of Members from the national constituency in the case of Member from the national constituency) shall, unless the provisions of paragraph 3 are applicable or public notice of the date for a new election has been given with regard to the same person in accordance with the provisions of Article 82 (Article 68 in the case of a Member from the national constituency), wait until the number of vacancies of members with the same term of office (to be added by the number of the vacancies of persons elected mentioned in Article 68, paragraph 1, in the case of Members from the national constituency) exceeds one-fourth of the fixed number of members to be returned for the electoral district concerned in a regular election (one-fourth of the fixed number of members to be returned in a regular election in the case of Members from the national constituency) and then cause a by-election to be held within thirty five (35) days from the day on which the notification provided for in paragraph 2 is last received.

When the number of vacancies of members with the same term of office (to be added by the number of vacancies of persons elected mentioned in Article 68, Paragraph 1, in the case of Members from the national constituency) does not exceed one-fourth of the fixed number of members to be returned for the electoral district concerned in a regular election (one-fourth of the fixed number of members to be returned in a regular election in the case of Members from the national constituency) but an election of members with different terms of office (including here and hereinafter the election mentioned in Article 62 in the case of Members from the prefectural constituency) has to be held such an election and ~~by~~by-election shall be held simultaneously, regardless of the provisions of paragraph 1 and the preceding paragraph, provided, however, that this shall not apply in cases where the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District or prefectural Assemblies (the Commission for Overseeing the Election of Members from the national constituency in the case of Members from the national constituency) shall have received the notification provided for in paragraph 2 after public notice of the date for the election of members with different terms of office has been given.

The date of a by-election mentioned in the preceding paragraph shall be that of an election of members with different terms of office.

The date of a by-election shall be proclaimed not later than thirty days preceding it by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies (the Commission for Overseeing the Election of Members from the national constituency in the case of Members from the national constituency).

The provisions of Article 62, paragraphs 2 to 4, (Article 68, paragraph 4, in the case of Members from the national constituency) shall apply mutatis mutandis to a by-election.

NOTE: According to this Article, if the number of vacancies of the same term exceeds one-fourth of the total, a bye-election will be held. This means that if more than one-quarter of the seats for the national constituency among those of the same term are vacant, the whole country would be in the throes of election fever, and not just one prefecture: a feature unknown in other countries of the world.

On the other hand, in respect to the prefectural constituencies the provision that bye-elections are held when the number of vacancies of members with the same term of office exceeds one-fourth means that death or withdrawal of <u>any</u> member of the prefectural constituency (except in Tokyo or Hokkaido) would necessitate a bye-election in the corresponding prefecture because the largest number of vacancies with the same term is less than four (except in Tokyo and Hokkaido where it is four).

Article 72. A member filling a vacancy shall remain in office during the remaining period of the term of office of his predecessor.

Chapter IX

Litigation

Article 73. A litigation may be filed on the validity of the election in an electoral district or the election of a person in the same way as the litigation on such validity in the election of members of the House of Representatives; <u>the proviso</u>, with regards to an election for the members from the national constituency, a person who files a litigation on the validity of an election or on the validity of the elected, on the ground that he obtained the necessary votes, according to the proviso, Article 67, or that the provision of Article 56, Paragraph 8, Article 57 which are applied mutatis mutandis by Article 60, ~~and not~~ are applicable to him, or that the decision in Article 58, Paragraph 6 which is applied mutatis mutandis by Article 69, is illegal, shall have the chairman of the commission for Overseeing the Election of Members from the national constituency of the accused.

Article 74. An elector or a candidate for membership who considers the election of a person to be invalid according to the provision of Article 79, Paragraph 3, may file a litigation at the Tokyo High Court with the elected as the accused, within thirty (30) days from the date of the notification under Article 59, Paragraph 1, or Article 69, which is the mutatis mutandis application of Article 59, Paragraph 1.

When a person who has superintended the election campaign of a candidate has been sentenced to a punishment, in accordance with the penal provisions concerning the election of members of the House of Representatives to be applied mutatis mutandis and the election of the candidate concerned is considered to have become invalid, the Public Procurator shall institute incidentally to the public action, a litigation against the candidate elected.

Article 75. The litigations provided for in the preceding two Articles shall be conducted in the same way as the corresponding litigations concerning the election of members of the House of Representatives; provided, however, that notification concerning these litigations shall be given to the Minister for Home Affairs as well as the Commission for Overseeing the Election of Members from the national constituency in the case of Members from the national constituency.

Chapter X

Election Campaign

Article 76. The persons who are listed in Article 6 shall not be engaged in the election campaign within the district with which they are concerned.

The election campaign of a candidate shall not be started until his candidacy is filed according to Article 54, Paragraph 1 to 3 or Article 69 in which the provisions of the above mentioned paragraphs are applied mutatis mutandis.

No person shall make a visit to a house with the purpose of obtaining a vote for himself or others, or of preventing others from obtaining a vote.

No one shall conduct the election campaign, by making use of one's specially related position to children, pupils, and students of schools who are under the age of twenty (20).

Article 77. Election campaign expenses in this Chapter shall mean such election campaign expenses in connection with the election of members of the House of Councillors as correspond to the election campaign expenses provided for in the Law for the Election of members of the House of Representatives.

Incomes in connection with election campaigns shall in this Chapter mean such money or property interest as has been received and accepted in order to meet the expenses mentioned in the preceding paragraph.

The assessment of the property interest mentioned in the preceding paragraph shall conform to the assessment of

property interest in connection with the election campaign expenses provided for in the Law for the Election of Members of the House of Representatives.

Article 78. Any candidate or any person who has been notified of his recommendation of a candidate shall appoint a person responsible for the disbursement of election campaign expenses (to be called hereinafter "responsible disburser"), in the same way as the person responsible for the dismissal or resignation of the responsible disburser, the subrogation of his functions and notification concerning him and a person who subrogates his functions shall conform to the corresponding cases in the election of members of the House of Representatives; provided, however, that in the case of candidates for Members from the national constituency, notification concerning the responsible disburser or a person who subrogates his functions shall be given to the Commission for Overseeing the election of Members from the national constituency.

Article 79. Election campaign expenses shall not exceed the amount mentioned in the following paragraphs per candidate:

1. The sum which equals the multiplication of the amount of money fixed by an ordinance, by the total number of the electors registered in the electoral list at the date of decision of the list, which total number is divided by the fixed number of the members to be returned from the election district concerned in the ordinary election (in case of the members from the national constituency, by the fixed number of the members in the ordinary election).

2. In case afre-election is held owing to the invalidity of part of an election, the sum which equals the multiplication of the amount of money fixed by an Ordinance, by the total number of the electors registered in the electoral list in the district concerned at the date of decision of the electoral lists, which total number is divided by the fixed number of members to be returned from the election district concerned in the ordinary election (in case of the members from the national constituency by the fixed number of the members in the ordinary election).

3. In case the voting is carried out in accordance with the provision of Article 26, the sum which equals the amount of money, calculated according to the provision of the preceding item. However, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies may reduce the amount when they deem it necessary.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies (the Commission for Overseeing the Election of Members from the National Constituency as far as the amounts mentioned in Item 1 and 2 of the preceding paragraph relating to the members from the national constituency are concerned) shall give public notice of the amount fixed by the preceding paragraph immediately after the date of the election has been proclaimed or given public notice.

In case the election campaign expenses disbursed for a candidate for membership exceed the amount given public notice according to the provision of the preceding paragraph, the election of the candidate shall be invalid. However, this provision does not apply in the case where any candidate or person who has notified his recommendation of a candidate has paid due attention to the appointment and supervision of the responsible disburser or the person who performs the functions of the disburser in his place and where the responsible disburser or the person who performs the functions of the disburser in his place has not committed a fault in the disbursing business of the election campaign.

Article 80. The responsible disburser shall, according to provisions of Ordinances, submit reports on the receipts concerning the election campaign and the election campaign expenses to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of the District or Prefectural Assemblies (in case of the members from the national constituency, the Commission for Overseeing the Election of Members from the National Constituency).

The leader of a political party or any other organization which recommends or supports candidates shall, in accordance with the provisions of ordinances, report the income in connection with election campaigns and expenses of such campaigns to the Minister of Home Affairs through the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly, as the case may be according to the locality of its principal office, if it recommends or supports candidates in two or more Metropolitan, District or Prefectural areas or in an area outside of the Metropolis, District or Prefecture where its principal office is located, and, in other cases report to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly as the case may be according to the locality of its principal office.

The provisions of the preceding paragraph shall apply mutatis mutandis to any local branch of a political party or any other organization which recommends or supports candidates.

Article 81. Upon receipt of the report provided for in the preceding Article, the Minister for Home Affairs or the Commission for overseeing the Election of Members of the Metropolitan Assembly, the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies, or the Commission for Overseeing the Election of Members from the national constituency shall make public the main points of such reports in accordance with the provisions of ordinances.

Article 82. The Minister for Home Affairs, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of the District and Prefectural Assemblies or Commission for Overseeing the Election of Members from the national constituency shall preserve the reports provided for in Article 80 during the term of office of the members elected.

Any person may demand inspection of such reports, in accordance with the provisions of ordinances, during the period mentioned in the preceding paragraph.

Article 83. The Minister of Home Affairs may restrict by ordinance literatures and pictures, to be posted or distributed for election campaigns, in the way of their form, number and the place where they are posted.

Chapter XI

Penal Provisions

Article 84. Any person who has violated the provisions of Article 76, Paragraph 1, shall be liable to imprisonment for not more than six (6) months or a fine of not more than three thousand (3,000) yen.

Any person who has violated the provisions of Article 76, Paragraph 2 to 4 shall be liable to imprisonment for not more than one (1) year or a fine of not more than five thousand (5,000) yen.

NOTE: It should be noted that most of the Japanese penal provisions contain a clause of "not more than," leaving it to the judge to decide what the actual punishment shall be, since no minimum is mentioned.

Article 85. Any person who has neglected to submit the report provided for in Article 78, paragraph 2, shall be liable to a fine of not more than one thousand (1,000) yen.

The preceding paragraph shall apply to persons who violate orders issued under the provisions of Article 83.

Article 86. Any person who has neglected to submit the report provided for in Article 80, or made a false report shall be liable to imprisonment for not more than six (6) months or a fine of not more than three thousand (3,000) yen.

Article 87. In addition to the provisions of the preceding three Articles, the penal provisions concerning the election of members of the House of Representatives shall apply mutatis mutandis to the election of members of the House of Councillors; provided, however, that the Chairman of the election Sub-Meeting and the place of such a meeting in the election of Members from national constituency are respectively considered as the Chairman of Election and the place of an election meeting.

Chapter XII

Supplementary Provisions

Article 88. When a Commissioner for Overseeing the Election of Members from the national constituency, Voting Overseer, Ballot-Counting Overseer, Chairman of Election Sub-Meeting or Chairman of Election has lost the right to vote, he shall forfeit his office.

Article 89. Expenditures in connection with the execution of election shall be provided for by ordinance.

Article 90. A candidate or a person who has notified his recommendation of a candidate may, according to provisions of ordinances, send ordinary postcards for election campaign to the maximum of ten thousand (10,000) sheets free of postage, per candidate.

Facilities of schools and other establishments to be designated by ordinances shall be permitted to be used for campaign speeches, in accordance with the provisions of ordinances.

The caretaker of the establishments mentioned in the preceding paragraph shall provide facilities necessary for making campaign speeches in accordance with the provisions of ordinances.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies shall, in accordance with the provisions of ordinances, publish documents in which the names, careers, etc. of candidates are described.

The Commission for Overseeing the Election of the Municipal, Town and Village Assemblies shall post up a notice of the names, etc. of candidates in accordance with the provisions of ordinances.

NOTE: In most of the rural localities the schools are the only buildings suitable for mass meetings and the fair and equitable use of the schools by the candidates is of great importance. The caretakers of the schools are expected to show no partiality in this respect.

Article 91. In this law the provisions concerning the Commission and Commissioners for Overseeing the Election of the members of the City Council shall apply to the Commission and Commissioners for Overseeing the Election of the Members of the Ward (of City) Councils, or the Ward Commission and Ward Commissioners for ~~the~~ Overseeing the Election of the Members of the City Council, and also the provisions concerning cities shall apply to wards in cities, with regards to the ward areas in Tokyo To and the cities stipulated in Article 6 and Article 82, paragraph I, of the law of the Organization of Cities.

In the application of the provisions of this law, the Commission for Overseeing the Election of the Town or Village Headman and the Commissioners for the same in the towns and villages stipulated in Article 38 of the Law concerning the Organization of Towns and Villages shall be considered respectively as the Commission for Overseeing the Election of the member of the Town or Village Assemblies and the Commissioner for the same.

In the application of this law, such associations of towns or villages as collectively take charge of the whole affairs of the towns or villages or affairs of the town or village offices shall be considered as one town or village and the Commission for Overseeing the Election of members of the Assemblies of the Association of towns or villages and the Commissioners for the same or the Commission for Overseeing the Election of Overseers of the town or village Association and the Commissioners for the same shall be considered respectively as the Commission for Overseeing the Election of Members of the Town or Village Assembly and the Commissioners for the same.

In places where the Law concerning the Organization of Towns and Villages has not yet been enforced, the provisions in this law concerning the Commission for Overseeing the Election of Members of the Town or Village Assembly shall apply to persons who hold a post corresponding th the town or village headman; the provisions relating to town or village shall apply to the body corresponding to town or village.

Article 92. With regard to matters to which the provisions of this law cannot be applied in an island or any other place without adequate means of transportation, special provisions may be enacted by ordinances.

Article 93. Provisions necessary for the enforcement of this law shall be enacted by ordinances.

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Additional Provisions

Article 1. This law shall come into force as from the date of its promulgation.

Article 2. Any person who has been adjudicated bankrupt and has not been rehabilitated; any indigent person who is receiving official or private relief or allowances for livelihood; any person who has no fixed abode; and any person whose term of punishment has been completed or shall be executed no longer but who is still diaqualified for voting in the election of members of the House of Representatives (excluding any person who has been sentenced to a punishment on account of a crime relating to election) shall have for the time being the right to vote in the election of members of the House of Councillors, regardless of the provisions of this law.

The head of a family belonging to the Imperial Family or of a family of peerage shall have the right to vote, for the time being, regardless of the provisions of this law.

With regard to the electoral lists necessary for the persons mentioned in the preceding two paragraphs, provisions shall be enacted by ordinance.

Article 3. The President or judges of the Court of Administrative Litigation in active service shall, pending the enforcement of the Constitution, not be eligible for election, regardless of the provisions of this law.

Article 4. The words "the House of Councillors" in Article 14 shall read "House of Peers," pending the establishment of the House of Councillors.

Article 5. With regard to the election of Members from the prefectural constituency, the notification concerning the litigations provided for in Articles 73 and 74 shall for the time being be made to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned through the Minister of Home Affairs and the Metropolitan, District or Prefectural Governor concerned.

In the case of election of the Members from the prefectural constituency, a person who files a litigation on the validity of an election or on the validity of the elected provided for in Article 73, on the ground that he obtained the necessary votes, according to the proviso, Article 56, Paragraph I, or that Article 56, Paragraph 8, or Article 57 are not applicable to him, or that the decision in Article 58, Paragraph 6, is illegal, shall have the Chairman of the Commission for Overseeing the Election of Members of the Metropolitan Assembly, or the Chairman of the Commission for Overseeing the Election of Members of the District or Prefecture concerned as the accused, for the time being, regardless of Article 73.

Article 6. In the case of candidates for Members from the prefectural constituency, the notification concerning the responsible disburser and a person who subrogates his functions provided for in Article 78, paragraph 2, shall for the time being be made to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned, regardless of the provisions of the above-mentioned paragraph.

Article 7. In cases where any elected person or any person who superintended election campaigns has been punished in accordance with the provisions of Article 87, the notification thereof shall for the time being be made through the Minister for Home Affairs and the Governor of the Metropolis or the District or Prefecture concerned to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned, regardless of the provisions of the above-mentioned Article.

Article 8. In applying mutatis mutandis the penal provisions concerning the election of members of the House of Representatives, the persons listed in Article 6 shall for the time being be considered as public officials.

Article 9. The right to vote and the eligibility of any person to whom the House Registration Law does not apply shall be suspended for the time being.

Article 10. Regarding the first ordinary election of the Members of the House of Councillors to be effected by this Law, "within ten (10) days" shall read "within five (5) days" in Article 61.

In the first regular election of Members of the House of Councillors to be held under this law the eledtion of six year term Members and that of three year term Members shall be held conjointly on the date to be fixed by an Imperial Rescript.

Article 11. With respect to the first regular election of Members of the House of Councillors to be held under this law, the phrase "the fixed number of members to be returned for the electoral district concerned in a regular election" in Article 55, Paragraph 2, and Article 56, Paragraph 1, Proviso and Article 79, paragraph 1, Items 1 and 2 shall read "the fixed number of members in the electoral district concerned" and the phrase "the fixed number of members to be returned in a regular election" in Article 66, and Article 67, Proviso and Article 79, Paragraph 1, Items 1 and 2 shall read "the fixed number of members."

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Article 12. As regards the initial members of the House of Councillors, in case a regular election takes place before the enforcement of the Constitution of Japan, they will become members of the House from the effective date of the Constitution, and their term of office shall be calculated as from that date; in case a regular election takes place after the enforcement of the Constitution, their term of office shall be calculated as from the date of the said regular election.

(Additional Provision).. This Law shall come into force as from the date of its promulgation.

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Annex

Electoral District	Number of Members
Tokyo Metropolis	8
Kyoto Prefecture	4
Osaka Prefecture	6
Kanagawa Prefecture	4
Hyogo Prefecture	6
Nagasaki Prefecture	2
Niigata Prefecture	4
Saitama Prefecture	4
Gumma Prefecture	4
Chiba Prefecture	4
Ibaragi Prefecture	4
Tochigi Prefecture	4
Nara Prefecture	2
Mie Prefecture	2
Aichi Prefecture	6
Shizuoka Prefecture	4
Yamanashi Prefecture	2
Shiga Prefecture	2
Gifu Prefecture	2
Nagano Prefecture	4
Miyagi Prefecture	2
Fukushima Prefecture	4
Iwate Prefecture	2
Aomori Prefecture	2
Yamagata Prefecture	2
Akita Prefecture	2
Fukui Prefecture	2
Ishikawa Prefecture	2
Toyama Prefecture	2
Tottori Prefecture	2
Shimane Prefecture	2
Okayama Prefecture	4
Kineshima Prefecture	4
Yamaguchi Prefecture	2
Wakayama Prefecture	2
Tokushima Prefecture	2
Kagawa Prefecture	2
Ehime Prefecture	2
Kochi Prefecture	2
Fukuoka Prefecture	6
Oita Prefecture	2
Saga Prefecture	2
Kumamoto Prefecture	4
Miyazaki Prefecture	2
Kagoshima Prefecture	4
Hokkaido District	8

38

THE LAW FOR THE ELECTION OF MEMBERS OF THE HOUSE OF REPRESENTATIVES

The Election Districts

Article 1 - The members of the House of Representatives shall be elected in each of the election districts. The election districts and the number of members to be elected in each district are set forth in the appendix to the present law.

Article 2 - The voting districts shall be subject to the limits of cities, towns and villages.

When the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies deem it necessary, there may be established several voting districts for one city, town or village.

In case voting districts are established according to the preceding clause, the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies must immediately announce the fact.

In case any provisions of the present law are not applicable to districts established according to the second clause of this article, special provisions may be enacted by imperial ordinance.

NOTE: It is important to appreciate that the voting district does not coincide with the election district: it is smaller than the election district and is normally the territory of a city, a town or a village; but, as may be seen from para. 2 even the latter may be broken into several voting districts.

Article 3 - The ballot-counting districts shall be subject to the limits of cities, towns and villages.

When the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies deem that there are special circumstances, there may be established several ballot-counting districts for one city or one ballot-counting district for several towns or villages.

When the ballot-counting districts are established according to the preceding clause, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies must announce the fact immediately.

In case any provisions of the present law are not applicable to ballot-counting districts established according to the second clause of this article, special provisions may be enacted by imperial ordinance.

NOTE: The ballot-counting districts normally coincide with the voting districts; but not infrequently several voting districts are joined to form one ballot-counting district.

Article 4 - When an alteration takes place in an election district in consequence of a change in administrative boundaries, the members actually sitting for such district shall retain their seats.

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Voting Right and Eligibility

Article 5. Any Japanese national who is over twenty years of age shall have the right to vote.

Any Japanese national who is over twenty-five years of age shall be eligible for election.

NOTE: There is a distinction between the "right to vote" and voting, since the "right to vote" is qualified by the necessity of being registered, provisions such as those of Article 6, and so on. Similar restrictions apply to the "right of election." Cf. Articles 8-11.

Article 6. Any person who has been declared incompetent or quasi-incompetent, or who has been condemned to penal servitude or confinement and whose term of punishment has not been completed or is yet to be executed shall neither have the right to vote nor be eligible for election.

NOTE: According to this Article the following categories shall neither enjoy the franchise nor be eligible for election:

1. Incompetent or quasi-incompetent. An incompetent is a person "in a habitual state of unsound mind" (Civ. Code, Art. 7). A quasi-incompetent person is a weak-minded, deaf, dumb or blind person or spendthrift (Art. 12 of the Civil Code) who is recognized as such by the Court).

2. Those in prison or who have received a sentence involving penal servitude or confinement and have not yet served their term. This status will have been established by a court decision.

Article 7. Deleted

Article 8. The Commissioners for Overseeing the Election of Members of the Metropolitan Assembly, Commissioners for Overseeing the Election of Members of the District or Prefectural Assemblies, and Commissions for Overseeing the Election of Municipal Town or Village Assemblies, Voting Overseers, Ballot-Counting Overseers and Chairmen of Election, and officers and officials engaged in the management of affairs pertaining to election shall not be eligible for election within the limits of the jurisdiction of their respective offices.

NOTE: Election officials may not be elected in the district in which they serve in this capacity, but they are permitted to vote in such districts.

Article 9. Judges, public procurators, government auditors, revenue officials and police officers in active service shall not be eligible for election.

NOTE: These officials may vote but they may not be elected because they are supposed to be above the partisan feeling of the candidates. They may run for election if they resign from their positions.

Article 10. Officials and those treated as officials and officials of local public entities with the exceptions hereafter listed may not combine their offices with membership in the House of Representatives:

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1. Cabinet ministers.
2. The Director General of the Cabinet Secretariat.
3. The President of the Bureau of Legislation.
4. Parliamentary undersecretaries of all ministries.
5. Parliamentary Councillors of all ministries.
6. Private secretaries of the premier.
7. Private secretaries of all ministries.
8. Private secretaries to State Ministers.

Article 11. Members of the Metropolitan, District, Prefectural, and Municipal, Town or Village Assemblies may not hold concurrent membership in the House of Representatives.

Electoral Lists

Article 12 - The Chairman of the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies shall investigate annually, as of the fifteenth of September, all qualified persons who have been domiciled for more than six months without interruption in their respective localities and prepare a list thereof by the thirty-first of October.

The age of an elector shall be counted as of the date when the electoral list is made final.

The persons disqualified under the residence requirement provided in the first and the preceding clauses of this article may not be registered in the electoral list.

In the electoral list shall be entered the name, residence, and date of birth of each elector.

The terms of residence provided in the first and third clauses of this article shall not be affected by alterations of the administrative boundaries.

NOTE: Once a year, by October 31, Japanese officials prepare a register of voters, in which are included all adults who lived in the same locality for six months, and satisfy other requirements. In view of the time lag between that date and the date of the coming elections, a special Law has been passed permitting registration as of 23 March 1947. This will mean that all persons who lived in the same locality since 23 September 1946 may register and vote. Also all repatriates, irrespective of the length of their residence, may register on that day. However, although registration in September-October was automatic (local officials having to register all who lived in the locality since March), in certain instances the special registration this March will be contingent upon filing of an application by the voter. Those who were registered in September-October do not have to refile. It is desirable, however, that they inquire whether their name is on the register.

Article 13 - Commissions for Overseeing the Election of Members of Municipal, Town or Village Assemblies shall, at their respective offices or at places they designate, exhibit the electoral lists for public inspection for a period of fifteen days commencing on the fifth of November.

They shall announce the place of exhibition at least three days before inspection takes place.

NOTE: There will be an exhibit of the electoral lists ublic inspection from March 29 to March 31 and from April 14 to 16TH.

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Article 14 - When an elector discovers an omission or wrong registration in the electoral list, he may demand that a correction be made by giving to the Commission for Electing Members of the City, Town or Village Assemblies written corroborative evidence and the reason therefor.

Such a demand may not be made after expiration of the period of exhibition.

Article 15 - Upon the receipt of a notice set forth in the preceding article, the Commission for Electing Members of the City, Town, or Village Assemblies shall examine the reasons alleged and evidence adduced and shall give his decision within twenty days from the receipt of such notice. If he finds that the notice is correct he shall immediately correct the electoral list, notifying the person who has given the notice and other persons concerned and notify the public at the same time. When the notice is found to be incorrect a communication to that effect shall be made to the person who has given the notice.

Article 16 - When either the person who has given the notice or other persons concerned are not satisfied with the decision of the Commissions for Overseeing the Election of Members of Municipal, Town or Village Assemblies made according to the foregoing article, they may, within seven days from the day on which they received the communication of the said decision, institute a suit against the Chairman of Commissions for Overseeing the Election of Municipal, Town or Village Assemblies, in a district court.

No appeal is allowed to appelate courts against the judgment of the district court mentioned in the preceding clause but it is permissible to bring an appeal to the Supreme Court for revision.

NOTE: The Law of 11 January 1947 prescribing supplementary registration is silent as to the right of the voter to appeal to the court, probably, in view of the shortage of time available.

Article 17 - The electoral list shall be considered final on the 20th of December.

The list shall be kept until the 19th of December of the following year. When, however, any correction is to be made in the list in pursuance of the judgment of a court of law, the Commissions for Overseeing the Election of Members of Municipal, Town or Village Assemblies shall at once make the said correction and shall publish the fact.

A new electoral list shall be compiled whenever a natural calamity or any other unavoidable circumstance may require it.

The compilation of the electoral list according to the foregoing clause and the date thereof, and the date and duration of exhibition for public inspection and for final determination of the list shall be determined by Imperial Ordinance.

Election, Votes and Polling Places

Article 18 - The date of a general election shall be the day following the expiration of a term of members of the House of Representatives. However, when there are peculiar circumstances an election may be held within five days after a term has expired.

When a term expires while the National Diet is in session or within twenty-five days after the closing of the session, the general election shall take place not less than twenty-six nor more than thirty days after the close of the session.

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775012

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The date of a general election shall be proclaimed at least twenty-five days beforehand.

Article 19 - Election shall be by ballot. Each elector shall cast one ballot only.

NOTE: This article means that every voter can be registered and vote only in one locality; otherwise he would cast more than one ballot.

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Article 19-2 - Affairs pertaining to the election of Members of the House of Representatives shall be taken charge of by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of the Districts or Prefectural Assemblies.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly and Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall direct and supervise the Commissions for Overseeing the Election of Members of Municipal, Town or Village Assemblies with regard to affairs pertaining to the election of members of the House of Representatives.

NOTE: The Election Administration Commissions mentioned in this Article are the same as the Commissions in charge of the Local Elections and their organization and functioning are described in detail in a companion volume "Local Elections in Japan - 1947". House of Representatives elections in the villages, towns and cities will be supervised correspondingly by the village, town and city election administration commissions. All these, in their turn, will be supervised by the prefectural election administration commission. There is no all-national Election Commission (as in the case of elections for part of the House of Councillors), because the members of the House of Representatives are elected from prefectures and not from the all-Japan national constituency. The Ministry of Home Affairs will continue to function as the clearing house for information.

Article 20 - Voting Overseers shall be selected and appointed by the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies, from among those who have the right to vote for election.

Voting Overseers shall take charge of affairs pertaining to voting.

NOTE: The Election Administration Commission (EAC) is not in immediate charge of the polling; the direct supervision of the poll is entrusted to a special superintendent of the poll (or "voting overseer") appointed by the corresponding EAC.

Article 21 - The polling-place shall be the city, town, or village office or place designated by the voting overseer.

NOTE: There may be several polling places in the locality. In 1946 there was approximately one polling place per thousand voters; this time the number will be considerably increased for the convenience of the voter. This means that in most localities there will be several polling stations per locality.

Article 22 - The voting overseer shall announce the polling-place at least five days previous to the date of election.

Article 23 - The polls shall be opened at 7 o'clock a.m. and be closed at 6 o'clock p.m.

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 3(D) OR (E) NNDG # 775012

Article 24 - Each candidate may appoint a person with his consent to act as a voting witness from among those registered in the electoral list of each voting district and report his choice to the voting overseer at least two days before the date of election.

When the number of the persons whose selection has been reported in accordance with the provisions of the preceding clause (excluding one whose selection has been reported by a candidate who subsequently thereto has died or withdrawn his candidacy, which proviso is hereinafter ommitted) does not exceed ten, they shall ipso facto become voting witnesses. In case their number exceeds ten, they shall elect ten voting witnesses from among themselves.

The election mentioned in the preceding clause shall be effected by vote, and persons who have obtained the larger number of votes shall be voting witnesses. In case an equal number of votes are obtained the decision shall be made by lot by the voting overseer.

The election mentioned in the second clause of this article shall be held on the day preceding the date of election.

The place and date of the election mentioned in the second clause of this article shall be publicly announced by the voting overseer beforehand.

When the candidate has died or withdrawn his candidacy, the voting witness whose selection has been reported by him shall cease to function as such.

In case the voting witnesses appointed according to the second clause of this article are fewer than three in number or there are fewer than three witnesses present at the time of the opening of the polls, the voting overseer shall fill the vacancies from among the persons registered in the electoral list of the voting district, notifying the persons so appointed and cause them to be present at the polls.

A voting witness shall not vacate his office without valid reason.

NOTE: Voting watchers (voting witnesses) are representatives of the candidates; they need not be impartial persons. Their purpose is to watch the voting from the point of view of the interests of the candidate. The limitation of their number to ten is caused only by considerations of space. There is nothing in the law to prevent the same person's being a watcher for several candidates. As they are personal representatives of the candidates the death or withdrawal of the candidate causes loss of position by the watcher. If there are no watchers appointed by the candidates, the superintendent of the vote can order any registered person to become a witness.

Article 25 - On the day of election electors shall come in person to the polling-place and vote, after identifying themselves as the persons whose names are on the electoral list.

In case the voting overseer cannot identify a person who is about to vote he shall require him to declare on oath his proper identity. Unless this declaration is made, such a person shall not be permitted to vote.

Article 26 - The ballot shall be given to each elector at the polling-place on the day of voting.

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Article 27. Every elector shall enter by himself the full name of one candidate in a ballot at a polling place and cast it into a ballot box.

An elector shall not write his own name on the ballot.

Note:

Article 28. Writing upon the ballots with Braille as specified by Imperial Ordinance is permitted.

Article 29. No person other than those entered on the electoral list shall be capable of voting. Should, however, any one come to the voting-place on the day of election bringing with him a writ of decision entitling him to have his name entered on the electoral list, the voting overseer shall allow him to vote.

Article 30. Whenever a person registered on the electoral list does not possess the qualifications for registration or the right to vote on the day of the election, such person may not vote.

The foregoing provision shall apply to those persons who cannot themselves write the names of the candidates they wish to vote fore

Article 31. The voting overseer after consulting the voting witnesses decides whether or not to allow a vote to be cast.

In case an elector is dissatisfied with the decision mentioned in the preceding clause, the voting overseer shall allow him to vote provisionally.

An elector shall place his ballot in an envelope and seal it and deposit it in the ballot box after writing his name on the envelope.

The provisions of the foregoing two clauses shall apply to an elector objected to by any of the election witnesses.

NOTE: This article describes the procedure when the voter objects to the denial of vote. He votes in such case provisionally and later, at the time of counting of votes, his right to vote is examined again and, if denied his ballot becomes invalid. As in some cases the superintendents of polling and counting witnesses are the same, the question may be raised what is the purport of this provision? The day that may pass between balloting and counting of votes may give a chance to the voter to present proofs of his right to vote (a certificate of birth, witnesses proving that he lived in the same locality for six months on 23 March, etc.)

Article 32. When the time for closing the polls arrives, the voting overseer shall declare the fact and close the entrance of the polling-places; he shall close the ballot-box

Note:

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 3(D) OR (E) NNDB # 775012

NOTE: Special provisions in an ordinance prescribe how many locks the balloting box should have, how the box should be locked, how it should be guarded, etc. Two separate locks are normally used, the keys being kept by different individuals.

Article 33 - For electors who certify the impossibility of personal attendance at a polling-place on the day of election owing to circumstances recognized by imperial ordinance, special provisions may be enacted by imperial ordinance, notwithstanding the provisions of Articles 25, 26, the first clause of Article 27, the proviso of Article 29 and Article 31.

NOTE: For absentee voting provisions see Table of Contents of this guide.

Article 34 - The voting overseer shall keep minutes in which all matters relating to the voting shall be entered and which he and the witnesses shall sign.

Article 35 - The voting overseer, except when he is also a ballot-counting overseer, shall, in company with one or more witnesses, send on the day of election the ballot-box, the minutes of the voting, and the electoral lists to the counting overseer.

Article 36 - In the case of an island or other place where means of transportation do not permit sending the ballot-box within the time mentioned in the preceding article, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies may fix a convenient date for voting and cause the ballot-box, minutes of the voting and the electoral lists to be sent by the time of counting the votes.

Article 37 - When, owing to natural calamity or other unavoidable circumstances, it is found to be impossible to carry out the voting or it is necessary to take a fresh vote, the voting overseer shall give notice to that effect to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies through the chairman of election. In such a case the Commissions shall cause the voting to be carried out by fixing a new date which shall be proclaimed at least five days beforehand.

Article 38 - In case elections are to be held according to Article 75 or 79 simultaneously, one combined election shall take place.

Article 39 - [redacted] on the name of the candidate for whom he voted.

Article 40 - The voting overseer shall maintain order at the polling-place and may, in case of necessity, ask the assistance of the police.

Article 41 - With the exception of electors, persons attending to the business of the polling-place, officials who are authorized to oversee the polling-place, and police officials, no person is allowed to enter the polling-place.

Article 42 - When at the polling-place, any person makes a speech, engages in discussion, causes an uproar, holds a conference or uses persuasion as to voting, or otherwise disturbs the order of the polling-place, the voting overseer shall caution him and if the caution is disregarded, shall cause him to leave the polling-place.

Article 43 - A person who has been compelled to leave a polling-place in accordance with the foregoing article, may be allowed to vote either at the end of the voting or earlier if it is deemed by the voting overseer that there is no danger of the polling-place being disturbed thereby.

NOTE: It is important to note that a person removed from the polling station is allowed to vote when it is likely that his presence will not disturb order.

Counting of Ballots and Counting-Office

Article 44 - Ballot-counting Overseers shall be selected and appointed by the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies, from among those who have the right to vote for election.

Ballot-counting Overseers shall take charge of affairs pertaining to the counting of ballots.

Article 45 - The counting-office shall be established in the city, town or village office or at the place appointed by the counting overseer.

Article 46 - The counting overseer shall announce the date of the counting beforehand.

Article 47 - The provisions of Article 24 shall be applied to the counting witnesses of the counting-office.

Article 48 - The counting of ballots shall be effected on the day of voting or on the day immediately following (in case more than one voting district exist within one vote-counting district, on the day when all the ballot-boxes have been received or on the day immediately following).

Article 49 - The counting overseer shall, in the presence of the counting witnesses, examine the votes coming under sections 2 and 4 of Article 31 and shall decide as to their acceptability after consulting the counting witnesses.

The counting overseer, with the counting witnesses, shall examine the ballots for each polling district.

As soon as the examination of the ballots has been finished, the counting overseer shall report the result immediately to the chairman of election.

Article 50 - The electors are entitled to request permission to inspect the counting at the respective offices.

Article 51 - The validity of ballots shall be decided by the counting overseer after consulting the counting witnesses.

NOTE: This means that the decision rests with the superintendent of counting, but the watchers can present their objections.

Article 52 - Such of the votes as mentioned hereunder, cast in an election district to which the provisions of Item I in the first clause of Article 27 apply, shall be invalid:

1. Those for which a regular ballot has not been used.
2. Those on which the name of a person other than a candidate is inscribed.
3. Those on which the names of two or more candidates are inscribed.

4. Those on which the name of a person disqualified for election is inscribed.
5. Those on which other matters in addition to the name of a candidate are inscribed. But this rule does not apply to those on which the profession, status, residence, or honorifics are entered.
6. Those on which the name of the candidate is not written by the voter himself.
7. Those by which it is impossible to ascertain which candidate is meant.
8. Those on which the name of a person who is a member of the House of Representatives is inscribed.

The preceding 8th item is applicable only to an election held in accordance with the provisions of Article 75 or 79 of the present law.

Article 52-2. Delete.

Article 52-3. Delete

NOTE: Articles 52-2 and 52-3 made provision for restricted plural voting -- the system of voting used in the last general election for the House of Representatives. This system provided for a grand total of 53 electoral districts throughout Japan, of which 39 coincided with prefectural boundaries and 14 were formed by dividing the most populous prefectures in half. Number of seats at stake in the various districts varied from 4 to 14; voters cast two votes in those districts which were to elect from 4 to 10 representatives and three votes in districts which were to elect 11 to 14 representatives. Plural votes had to be distributed among separate candidates; no voter could cast more than one vote for the same candidate.

It will be recalled that the proposal to change the former system of plural voting to the present system of voting evoked a sharp clash in the Diet between the Liberals and Progressives on one side and all other parties on the other. The minority parties have always felt that the system of plural balloting worked to their advantage; the majority parties have preferred the small constituency and a single ballot.

As matters now stand, even the present system is not fully in accord with the expressed ultimate desires of the Liberal Party, which has called for division of Japan into 466 electoral districts with one representative in the House of Representatives elected from each district.

Article 53. Ballots shall be sorted into lots that are valid and those that are void and shall be preserved by the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies.

Article 54 - The counting overseer shall make the counting minutes, in which all matters relating to the ballot-counting shall be recorded, and shall affix his signature thereto together with ballot-counting witnesses.

The counting minutes and voting minutes shall be preserved during the term of office of the members elected, by the Commissions for Overseeing the Municipal, Town or Village Assemblies.

Article 55 - In the counting of ballots of a new election held in case a part of an election is declared invalid, the validity of ballots shall be ascertained.

Article 56 - The provisions of Article 37 shall, with the exception of the proviso, be applied mutatis mutandis in the counting.

NOTE: This means that when because of a natural calamity, ballot counting cannot take place on the appointed day, another day will be fixed for it.

Article 57 - For the control of counting-offices the provisions of Articles 40 to 42 shall be applied mutatis mutandis.

Election Meeting

Article 58 - The Chairman of Election shall be selected and appointed by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies.

The Chairman of Election shall take charge of affairs relating to the election-meeting.

Article 59 - The election meeting shall be held at the Metropolitan or prefectural office or at a city office or a place designated by the chairman or election.

Article 60 - The chairman of election shall announce the place and date of the election meeting beforehand.

Article 61 - The provisions of Article 24 shall be applied correspondingly to the election witnesses.

Article 62 - The chairman of election shall hold the election meeting in the presence of the election witnesses on the day when or the next day after the reports provided for in the third section of Article 49 are received from all counting overseers and shall examine the reports.

In case a part of an election was invalid and a new election has been held, the chairman of election, on receipt of the report under the third section of Article 49, shall hold an election meeting and examine it together with other reports.

NOTE: Art. 49, para 3, mentioned here, demands that the superintendent of ballot counting report immediately to the chairman of election the results of the counting.

Article 43 - The electors are entitled to request admission to the election meeting of their respective districts.

Article 64 - The Chairman of election shall make the election minutes, in which all matters relating to the election meeting shall be recorded and shall affix his signature thereto together with election witnesses.

The election minutes, together with the documents relating to the reports made under Article 49, Para 3, shall be preserved by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies, during the term of office of the members elected.

Article 65 - The provisions of Article 37 shall, with the exception of the proviso, be applied correspondingly to the election meeting.

Article 66 - For the control of the election meeting the provisions of Articles 40 to 42 shall be applied correspondingly.

NOTE: Arts. 40-42 deal with the maintenance of order at the polling station.

Candidates & Persons Elected

Article 67 - A person who desires to be a candidate shall so notify the chairman of election between the date when the date of election is proclaimed and the seventh day before the date of election.

When a person whose name is registered in the electoral list desires to name a candidate other than himself, he may make the recommendation with the consent of the candidate during the period set forth in the preceding clause.

In case the number of candidates named during the period stated in the two preceding clauses exceeds the number of members to be elected, when candidates die after the period stated or withdraw candidacy, notice or recommendation of candidates may be made according to the two preceding clauses by the second day previous to the date of election.

A person who has become a candidate in one election district shall not notify his candidacy or approve the notification recommending him as a candidate in another election district.

A candidate may not withdraw his candidacy without notification to the chairman of election.

On receipt of notice under the third paragraph and the preceding paragraph of this article or on the death of a candidate the chairman of election must immediately publish the facts.

Article 68 - The person who desires to enter for candidacy or who desires to recommend a candidate shall deposit 5,000 yen in cash or national bonds of the same face value for each candidate.

The deposit made in accordance with the preceding clause shall belong to the government in case the total votes for the candidate are less than one-tenth of the number of the total votes obtained by respective candidates divided by the number of members to be elected in that election district.

The provisions of the preceding clause shall be applied to candidates who withdraw within ten days of the date of election, unless such withdrawal is due to loss of eligibility.

Article 69 - The candidate who has obtained a relative majority of the total number of votes shall be declared elected. However, the number of votes obtained shall not be less than one-fourth of the total number of the votes, obtained by respective candidates, divided by the number of members to be elected from the district.

In determining the person elected, in case the number of ballots obtained by the candidates is the same; and the choice is determined by lot, the chairman of election shall hold a drawing at the election meeting.

In case the person elected may be determined without holding a new election in consequence of a suit instituted under Articles 81 or 83, the person elected shall be determined at an election meeting.

When a person elected either declines the election or dies or when his election has been invalidated according to the provisions of Article 70, the person elected shall be determined immediately at an election meeting from among those persons who have obtained the quota mentioned in the proviso of the first section of this article but have not been elected.

When any of the causes mentioned in Article 75, Para. 1, Items 5 and 6, has occurred during the period stipulated in Article 74 and there are persons who have obtained such number of votes as mentioned in the proviso of Para. 1, or when such a case has occurred after the expiration of the period and, there are persons who have obtained votes and to whom the provisions of Para. 2 are applicable, an election meeting shall be held to determine the person elected from among the above mentioned persons.

In applying the foregoing three sections, a person voted for who comes under the first clause and was not elected shall not be declared elected in case he has been disqualified for election after the date of the election.

NOTE: Only a relative majority of votes is necessary in order to be elected; but this majority must be a minimum 25% of the total votes cast.

If the total number of votes cast was 3,300,000, the number of vacancies 10, and the leading candidate received 70,000 votes, he would retain his deposit, but he would not be elected to the Diet, because the requisite minimum is 3,300,000 divided by 10 divided by 4 = 82,500. If the number of candidates, as compared with vacancies, is very large and the vote widely scattered among the candidates, it might happen that none would be elected and a new election would be needed.

Article 70 - An election shall be invalidated when the person elected is disqualified for election after the date thereof.

Article 71 - In case the number of candidates notified according to the provisions of sections one to three of Article 67 does not exceed the number of members to be elected from a district, no election shall be held.

When it is unnecessary to hold an election according to the provisions of the preceding clause the chairman of election shall so notify the voting overseer, the Commission for Overseeing the Election of Members of the Metropolitan Assemblies or Commissions for Overseeing the Election of members of the District or Prefectural Assemblies and the electors.

On receipt of such notice the voting overseer shall publish the fact immediately.

In the circumstances indicated in the first clause of this article, the chairman of election shall hold an election meeting within five days previous to the date of election and determine the candidates as elected.

In such cases the chairman of election shall determine the validity of the qualifications of the candidates after consulting the election witnesses.

Article 72 - When a candidate's election has been determined, the chairman of election shall at once inform the person elected and at the same time shall publish the names of the persons elected and also shall report the minutes of the election, such as the names of and the number of votes obtained by the persons elected, and the total number of votes for each person, etc. to the Commission for Overseeing the Election of members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies.

The chairman of election shall immediately publish and give notice of the fact to the Commission for Overseeing the Election of members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies when there is no person elected or the number of persons elected is less than the number to be elected.

Article 73 - Upon receipt of notice of election, every person elected shall notify the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies whether or not he accepts.

Article 74 - Those persons elected who have failed to give notice of acceptance within ten days from the day on which they received notice of election shall be considered to have declined election.

NOTE: It is important to note that according to law, the successful candidate must notify the EAC of his acceptance of election, otherwise he will be considered to have declined the election.

Article 75 - In any of the following circumstances the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall fix a date and hold a new election, announcing the date thereof at least twenty five days before the date of election except when the persons elected can be determined without carrying out a new election. This provision is not applicable when the date of election is announced owing to circumstances other than the following or in accordance with the provisions of the eighth section of Article 79 concerning one and the same person:

1. In case there is no person elected or the number of persons elected is less than the number to be elected.
2. When the person elected declines the election or is dead.
3. When the person elected loses the election according to provisions of Article 70.
4. When there is no person elected or the number of persons elected does not come up to the required number in consequence of a suit instituted according to the provisions of Articles 81 or 83.
5. When an election is invalidated as the result of a suit instituted according to Article 84.
6. When an election is invalidated according to the provisions of Article 136.

An election mentioned in the preceding clause may not be held during the period allowed for filing a suit under the provisions of Article 81 or 83, or until the settlement of judgment in a case in which a suit has been filed.

The date of election to be held in accordance with the first section of this article shall be within thirty (30) days after the final day of the period allowed for filing a suit under the provisions of Article 81 or 83; in case a suit has been brought, it shall be within twenty (20) days after the day on which the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assembly received the communication from the Chief Judge of the Supreme Court to the effect that the suit is terminated or the communication made in conformity with the second clause of Article 86 or Article 143.

When any one of the circumstances mentioned in the first section of this article has arisen within six months prior to the end of the term of a representative, no election is held under the first section of this article.

Article 76 - When a person elected has accepted election the Commission for overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall at once give him a certificate of election and publish his name, at the same time reporting thereon to the Minister of Home Affairs through the Governor.

Article 77 - When an election has been invalidated owing to a suit instituted under Chapter 9 or to the application of Article 136, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall publish the fact immediately.

Term of Membership and Substitutional Election

Article 78 - The term of membership shall be from the date of a general election.

Article 79 - A substitutional election shall not be held even when a vacancy occurs among members until the number of vacancies comes up to two in the same election district. In the election district, however, in which the fixed number of members to be elected is two (2) the substantial election shall be held when a vacancy has occurred.

In case a vacancy occurs among members the Minister of Home Affairs shall notify the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies concerned within five days from the date of his receipt of the notification thereon from the President of the House of Representatives.

On receipt of such notification the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall communicate it immediately to the chairman of election when a candidate who obtained the quota required under the proviso of the first paragraph of Article 69 but was not elected is available, in the case of a vacancy which occurs during the period mentioned in Article 74; or when there is a candidate to whom the second paragraph of Article 69 has been applied but was not elected, in the case of a vacancy which takes place after the period has elapsed.

The chairman of election shall determine the person elected, applying the provisions of sections four to six of Article 69, within twenty (20) days from the date of notification under the preceding section.

On receipt of notification under section two of this article, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies unless the third section herein of this article is applied or the date of the election has been published according to the provisions of Article 75 concerning one and the same person, shall wait until the number of vacancies reaches one-fourth of the number of members to be elected in the election district concerned; it shall hold a substitutional election within thirty (30) days of receipt of the final notification under section two of this article.

In case an election prescribed in Paragraph 75 is held in the election district in which the fixed number of members to be elected is two, or in case the number of vacancies is two in another election district, but an election is to be held under Article 75, a substitutional election shall, in spite of the provisions of the first and fifth clauses of this article, be held in parallel with the said election, unless the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies have received the notification under the second clause of this article after the date of election was announced in accordance with the provisions of Article 75.

The date of the substitutional election mentioned in the preceding clause shall be fixed in accordance with the rules of the date of election under Article 75.

The date of a substitutional election shall be announced at least twenty-five (25) days before the election by the Commissions for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies.

The provisions of sections two to four of Article 75 shall be applied to a substitutional election.

Article 80 - A member elected by substitutional election shall serve out the term of his predecessor.

Law-Suits Arising Out of Elections.

Article 81 - An elector or a candidate who entertains an lbjection to the validity of an election may institute a suit against the Chairman of the Commission for Overseeing the Election of Members of the Metropolitan Assembly or of the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies in the High Court within thirty days after the date of election.

Article 82 - When the legal provisions governing elections are violated, the court shall declare the election void either in whole or in part if such violation is judged likely to affect the returns.

In a suit instituted under Article 83, when the election is adjudged to fall under the preceding section, the court shall declare the election void either in whole or in part.

Article 83 - When a candidate who has failed of election questions the validity of the election of a person elected in the same election district, he may institute a suit in the High Court against the person elected within thirty days from the date of publication of the name of the person elected under sections one and two of Article 72. But a suit shall be instituted against the Chairman of the Commission for Overseeing the Election of Members of the Metropolitan Assembly or of the Commission for Overseeing

the Election of Members of the District or Prefectural Assemblies; on the ground that the requirement imposed in the proviso of section one of Article 49 has been obtained or on the ground that the election does not abide by section six of Article 49 or by Article 70, or on the ground that the decision made under section five of Article 71 is illegal.

When a suit is instituted according to the preceding section and the person elected dies before the decision is made, such suit shall be reinstituted against the public procurators.

Article 84 - An elector or a candidate who claims that an election is invalid under Article 110 may institute a suit against the person elected in the High Court within thirty days after notification under section one of Article 72.

Article 84-2 - When a public procurator deems an election to be invalid under the provisions of Article 136 on the ground of the person accused for the offences under Article 112 or 113 having been the election manager or the person who was not the election manager but actually managed election campaigns, he shall, in parallel with the public action, bring a lawsuit against the person elected.

Article 85 - In the trial of election cases instituted under the provisions of Article 81, 83 or the first section of the preceding article the court shall require the public procurator to attend the proceedings.

Article 86 - When a suit is instituted under the provisions of Article 81 or 83 the Chief Judge of the High Court shall inform the Minister of Home Affairs and the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies concerned through the Governors concerned, as well as when the suit is terminated.

When a litigation has come not to be attended to under the first clause of Article 84 or when a judgment passed comes into force of the suit instituted under the second clause of the same article, the president of the law court shall notify the fact to the Minister of Home Affairs and the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies concerned through the Governors concerned.

When a judgment is given to the suit instituted under Article 81 or 83 or the first section of Article 84 or when a judgment passed comes into effect of the suit instituted under the second clause of Article 84, the president of the law court shall send a certified copy of the judgment to the Minister of Home Affairs. In case the National Diet is in session, another copy shall be sent to the chairman of the House of Representatives.

Article 87 - The plaintiff who instituted a suit under the provisions of Article 81 or 83 or the first section of Article 84 shall deposit as security in the court 300 yen in cash or national bonds of equal face value.

In case the judgment is given against the plaintiff and should he fail to pay the whole amount of the legal costs, within seven days from the day on which the judgment was settled, the security money shall be appropriated for the purpose and should there still remain any deficieney the required amount shall be charged to the plaintiff.

The Election Campaign

Article 88 - Deleted.

Article 89 - No election office may be established by persons other than a candidate or the person who recommends a candidate (in case several persons recommend a person, their representative).

When the person mentioned in the preceding clause has established an election office, he shall immediately notify the fact to the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies, as well as when there is any change in the election office.

Article 90 - Only one election office may be established for each candidate, but five or less election offices may be established in accordance with Imperial ordinance.

Article 91 - The election offices shall not be established within three cho (about 360 yards) from voting places.

Article 92 - Resting-places or places of like character shall not be established for the purpose of an election campaign.

Article 93 - Deleted.

Article 93-2 - Deleted.

Article 94 - When election offices are found to be established contrary to the provisions of section one of Article 89, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of the District or Prefectural Assemblies shall immediately order such offices to close: this regulation is applicable similarly when election offices are found to be established in excess of the number authorized under Article 90.

Article 95 - No election campaign shall be conducted until the notice of recommendation of candidates under Sections one to three of Article 67 has been made.

Article 96 - No persons shall conduct the election campaign by making use of their positions specially related to children, pupils or students of schools under the age of twenty (20).

Article 97 - Deleted.

Article 98 - No person shall carry on house-to-house visiting for the purpose of obtaining votes or of aiding or preventing the obtaining of votes.

Article 98-2 - Deleted.

Article 99 - None of those mentioned in Article 8 shall carry on an election campaign in the districts in which his office is located.

Article 100 - The Minister of Home Affairs may establish limitations by ordinance upon letters and pictures to be distributed or posted in an election campaign.

Article 100-2 - The Minister of Home Affairs may establish limitations by ordinance upon such acts to be made with the object of greeting electors, after the day of election, in connection of candidates' success or failure in the election.

Election Expenses

Article 101 - A candidate shall appoint a person responsible for the disbursement of election campaign expenses (hereinafter referred to as "responsible disburser"), providing however, that this does not prevent a candidate from himself becoming a responsible disburser, nor a person who has recommended a candidate (in case there are several such persons, their representative) from appointing with approval of the said candidate a responsible disburser or from himself becoming a responsible disburser.

Article 101, Para 2. shall be deleted.

A candidate may relieve a responsible disburser of his office by notice in writing. This rule shall apply in case a person who has recommended a candidate and who has appointed a responsible disburser, obtains the candidate's approval.

A responsible disburser may resign by notice in writing to the candidate and the person who appointed him.

One who has appointed a responsible disburser (including one who has himself become a responsible disburser) shall immediately report the fact of appointment to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies, to which the report under the second section of Article 89 was made. The same tule shall apply when a responsible disburser has changed.

One who acts for a responsible disburser in accordance with the provisions of Article 101-2 shall make a report in pursuance of the instance mentioned in the preceding clause. The same rule shall apply when one has resigned.

Article 101-2 - When a responsible disburser is prevented from discharging his duties, one who has appointed him shall act for him.

When one who has recommended a candidate and who has appointed a responsible disburser (including one who has himself become a responsible disburser) is also prevented from discharging his duties, the candidate shall act for him.

Article 101-3 - The expenses of the election campaign shall not be paid out by any person other than the responsible disburser except the expenses involved in the preparation for candidacy and those paid out without any understanding of the candidates or the responsible disburser; however this rule shall not apply to those who have obtained the written approval of the responsible disburser.

Article 101-4 - Any person who, not being the responsible disburser, has received or accepted any receipts relating to the election campaign for a candidate for membership, shall immediately inform the responsible disburser of the amounts, the kinds and other items of the receipts; receipts relating to the election campaign received or accepted prior to the

notification of standing as a candidate shall be reported to the responsible disburser immediately after the notification of standing as a candidate has been made.

Article 102 - The expenses of the election campaign for each candidate shall not exceed the amounts specified in the following items:

1. The amount obtained when the total number of electors registered on the final electoral list, divided by the number of members to be elected in the election district, is multiplied by the amount of money fixed by ordinance.

2. In case a part of an election is declared invalid and a new election is held, the amount obtained when the number of electors registered on the final electoral list of the district concerned, divided by the number of members to be elected in the election district concerned, is multiplied by the amount of money fixed by ordinance.

3. In case an election is held under Article 37, the amount shall be calculated in accordance with the preceding item; however, this amount may be reduced by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies when they deem it necessary.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall publish the amount determined upon under the preceding section as soon as the date of election is proclaimed or notified.

Article 103 - In case material obligations for an election campaign have been recognized or material benefits from the use of buildings, ships, horses and vehicles, printed matter, food and drink, etc., other than cash, have been received, the obligations or benefits shall be considered expenses of election at their market values.

Article 104 - Amounts paid out for any of the following purposes shall not be considered expenses of election:

1. For ships, horses, and vehicles used by a candidate.
2. For the adjustment of the remaining business of an election campaign after the date of election.
3. Expenses other than those which are paid out by or with the understanding of the candidate for whom notice has been given under sections one to three of Article 67 or the responsible disburser.
4. For the preparation of the candidate other than those paid out by or with the understanding of the person who has become the candidate or responsible disburser.

Article 104-2 - Receipts relating to the election campaign shall mean such money as has been received and accepted in order to meet the expenses for the election campaign.

In the case where property obligations have been exempted in order to meet the expenses for the election campaign or where buildings, ships, cars, printing matters, foodstuffs, or other property interests except money have been obtained, the obligations or interests, being estimated in current prices, shall be regarded as receipts relating to the election campaign.

Article 105 - The responsible disburser shall, as provided for by an Ordinance, submit reports on the expenses for the election campaign and the receipts relating to the election campaign to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of the District or Prefectural Assemblies.

Article 106 - The representative or leader of a political party or any other organization which recommends or supports candidates shall in accordance with the provisions of ordinance, report the expenses of the election campaign and receipts relating to the election campaign to the Minister of Home Affairs through the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assembly, as the case may be, according to the locality of its principal office, if it recommends or supports candidates in two or more Metropolitan, District or Prefectural areas or in an area outside of the Metropolis, District or Prefecture where its principal office is located, and, in other cases report to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assembly as the case may be according to the locality of its principal office.

The provisions of the preceding paragraph shall apply mutatis mutandis to any local branch of a political party or any other organization which recommends or supports candidates.

Article 107 - Upon receipt of the report provided for in the preceding two paragraphs, the Minister of Home Affairs or the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies, shall make public the main points of such reports in accordance with the provisions of ordinances.

Article 108 - The reports under Articles 105 and 106 shall be preserved during the term of office of the members by the Minister of Home Affairs, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members for the District or Prefectural Assemblies who have received the reports.

Any person may demand inspection of such reports, in accordance with the provisions of ordinances, during the period mentioned in the preceding paragraph.

Article 108-2 - The responsible disburser shall, in accordance with the provisions of ordinances, keep note-books, in which expenses for the election campaign and receipts relating to the election campaign shall be recorded.

The responsible disburser shall preserve the books under the preceding paragraph and the documents as provided for in Ordinances in regard to expenses for election campaign and receipts relating to election campaign, during the term of office of the member.

Article 109 - In case the responsible disburser resigns or is dismissed, he must prepare an account of the expenses for election campaign and receipts relating to election campaign without delay for a new responsible disburser or for the person who takes over the duties of the responsible disburser appointed under Article 101-2 when there is no new responsible disburser, and he shall transfer it to him. This is applicable in case a new responsible disburser is elected after the duties have been transferred to a person who has taken

charge thereof under Article 101-2.

Article 110 - In case the expenses of the election paid out for a candidate exceed the amount specified in section two of Article 102, the election of the candidate shall be invalid except when the candidate and the person who has made the recom endation have paid due attention to the appointment and supervision of the responsible disburser or the person who takes over the duties of the responsible disburser and there can be found no fault in the expenditure of campaign funds on the part of the responsible disburser or the person who takes over his duties.

Chapter XII - Punitive Rules

Article 111 - Any person who has effected by fraudulent process the insertion of his name in the electoral list or who has made a false declaration under the second clause of Article 25 shall be liable to a fine of not more than 1,000 yen.

Article 112 - Any person who has committed an act falling under any of the following heads shall be liable to confinement or penal servitude for not more than three years or to pay a fine of not more than 20,000 yen.

1. When, with the object of being elected, causing a candidate to be elected, or preventing him from being elected, money, goods, or other presents or public or private employment has been given to an elector or to a canvasser or when such gifts have been proposed or promised or when entertainment has been provided.
2. When, with the object of being elected, causing a candidate to be elected, or preventing him from being elected, irrigation, tenancy, credit, contributions, or other matters of direct interest to an elector or canvasser or to a shrine, temple, school, company, guild, or civic corporation in which an elector or canvasser is interested have been taken advantage of in persuading an elector or canvasser.
3. When, in connection with an election, anything mentioned in the first head of this article has been carried to an elector or a canvasser for the purpose of compensation for voting or carrying on an election campaign or for declining to do either or for canvassing or persuading others.
4. When, in connection with an election, a voter has received or demanded offers, or accepted proposals of presents or entertainments mentioned in the first or the preceding clause of this article or yielded to persuasion or asked for such forms of assistance as are mentioned in the second item.
5. When, with the object of inducing the acts mentioned in Items one to three, a person has made, proposed or promised offers of money or goods to election canvassers; or when an election canvasser has received, demanded or accepted such offers.
6. When in connection with an election, a person has acted to persuade or mediate between others concerning the acts mentioned in the preceding items.

Such public officer or official as mentioned in Article 8 engaged in matters pertaining to an election who has committed a crime falling in one of the items of the preceding clause in connection with the election in question shall be liable to confinement or penal servitude for not more than four years or to pay a fine of not more than 30,000 yen. This rule shall apply to the police officer who has committed similar crimes in connection with the election in the Metropolis or prefecture concerned.

Article 112-2 - A person who has committed one of the following acts shall be liable to confinement or penal servitude for not more than five years.

1. When, with the object of obtaining material benefits, a person has, on behalf of a candidate, committed against a large number of voters or election canvassers, or caused them to commit one of the acts mentioned in Items one to three, five or six of the first clause of the preceding article.
2. When, with the object of gaining material benefits, a person has, on behalf of a candidate, undertaken to commit against a large number of electors or election canvassers, caused them to undertake to commit, or made proposals therefor, one of the acts mentioned in Items one to three, five or six of the first clause of the preceding article.

This rule shall apply in case a person, who has committed one of the offenses mentioned in Items one to three, five or six, is a habitual offender.

Article 113 - Those who come under any of the following heads shall be liable to confinement or penal servitude for not more than four years or to pay a fine of not more than 30,000 yeh.

1. Those who have offered the advantages mentioned in the first and second items of the first section of Article 112 to a candidate or to a person, who contemplates becoming a candidate, for the purpose of dissuading him from candidacy; or to an elected person for the purpose of persuading him to decline the election.
2. Those who have acted as mentioned in the first item, of the first section of Article 112 for the purpose of compensating a candidate for having withdrawn his candidacy or becoming a candidate or a person elected for having declined election; or for having mediated or persuaded with the same objects.
3. Those who have received or demanded offers or entertainments under the two preceding sections or have accepted a proposal under the second section or have agreed to or sought persuasion under the first section.
4. Those who have acted to mediate between or persuade others in relation to the acts mentioned in the preceding sections.

An officer or official as mentioned in Article 8 in charge of matters pertaining to an election who has committed one of the crimes mentioned in the preceding clause in connection with the election in question is liable to confinement or penal servitude for not more than five years or to a fine of not more than 40,000 yen. The same rule shall apply to those police officers who have committed similar crimes in connection with the election in the Metropolis or prefecture concerned.

Article 114 - Any articles or benefits received in consequence of actions enumerated in the three preceding articles shall be confiscated; if confiscation in whole or in part is impossible, supplementary compensation shall be collected.

Article 115 - Those who fall under any of the following heads shall be liable to confinement or penal servitude for not more than four years or to pay a fine of not more than 30,000 yen:

1. Those who, in connection with an election, subject to an act of violence or to intimidation or abduct an elector, a candidate, a would-be candidate, a canvasser, or an elected person.
2. Those who obstruct freedom of movement, meetings or speeches or who by fraudulent or other unfair means obstruct the exercise of the right of election.
3. Those who, in connection with an election, take advantage of irrigation, tenancy, credit, contributions or other interests of an elector, candidate, would-be candidate, canvasser, or elected person; or of a shrine, temple, school, company, guild, or civic corporation in which such persons are interested, and threaten an elector, candidate, would-be candidate, canvasser, or elected person.

Article 116 - When in connection with an election a government or public entity, official or those mentioned in Article 8 have wilfully neglected to discharge their duty or have obstructed the exercise of the right of election by the abuse of their authority, tracing candidates or election canvassers, or intruding into their houses or election offices without any justifiable reason, they shall be liable to confinement for not more than four years.

A government or public entity official or those mentioned in Article 8 who requests an elector to reveal the name of the candidate for whom he intends to vote or has voted shall be sentenced to minor confinement for not more than six months or to pay a fine of not more than 3,000 yen.

Article 117 - When an officer or official as mentioned in Article 8, witness or overseer connected with the election has revealed the name of candidates voted for by electors, he shall be liable to minor confinement for not more than two years or to pay a fine of not more than 10,000 yen. The same penalties shall apply in cases of false representation of votes cast.

Article 118 - When, without any justifiable cause, any person has either at a polling-place or a counting-place, interfered with the voting of an elector or has put into practice any device to discover the name of a person voted for, he shall be liable to minor confinement for not more than one year, or to pay a fine of not more than 5,000 yen.

Any person who, contrary to law and regulations, has opened a ballot-box or has removed ballots therefrom shall be liable to minor confinement or penal servitude for not more than three years or to pay a fine of not more than 20,000 yen.

Article 119 - Whoever has committed violence against or threatened a voting overseer, counting overseer, chairman of election, witness, or election overseer, or has disturbed an election meeting, counting-place or voting-place, or has detained, damaged, or plundered ballots or ballot-boxes or election documents shall be liable to minor confinement or penal servitude for not more than four years.

Article 120 - Whoever has committed an offense mentioned in the first section of Article 115 or in the preceding article by assembling a crowd shall be liable to be penalized as follows:

1. The principal leaders shall be liable to confinement or penal servitude for not less than one year and not more than seven years.

2. The leaders shall be liable to confinement or penal servitude for not less than six months and not more than five years.
3. Whoever has knowingly joined such a crowd to add to its influence shall be liable to pay a fine of not more than 1,000 yen.

Whoever has knowingly formed a crowd or joined it in offense against any provision of the first section of Article 115 or against the preceding article and has disobeyed more than three times the orders of the officers or officials of the election dispersing the crowd, shall be liable to pay a fine of not more than 100 yen and the leader shall be liable to minor confinement for not more than two years.

Article 121 - When, in connection with an election, whoever uses a firearm, sword, dagger, bludgeon, or other weapon capable of causing death or injury, he shall be liable to minor confinement for not more than two years or to pay a fine of not more than 10,000 yen.

A police official may, whenever it is judged necessary, seize any of the weapons mentioned in the preceding clause.

Article 122 - Whoever enters a place of election meeting, counting-place carrying any of the weapons mentioned in the preceding article shall be liable to minor confinement for not more than three years or to a fine of not more than 20,000 yen.

Article 123 - In case any person has offended against the provisions mentioned in the two preceding articles, the weapons carried by him shall be confiscated.

Article 124 - Whoever, in connection with an election, makes a display, such as assembling a crowd, conducting a procession or parade, making use of fireworks, bonfires or torchlights, beating bells or drums or sounding conches or bugles or raising flags, etc., and disregards the warning of police officials to stop, shall be liable to minor confinement for not more than six months or to a fine of not more than 3,000 yen.

Article 125 - Whoever, with the object of inducing other persons to commit any of the acts mentioned in Articles 112, 113, 115, 118-122, or the preceding article, incites them by means of speeches, newspapers, magazines, circulars, placards, etc., shall be liable to minor confinement for not more than one year or to a fine of not more than 5,000 yen. Provided that in case a newspaper or magazine is found guilty of such acts, the person registered as the editor or who has taken the place of an editor shall be liable to the foresaid punishment.

Article 126 - Whoever commits an offense under any of the following items by means of speeches, newspapers, magazines, circulars, placards, etc., shall be liable to minor confinement for not more than two years or to a fine of not more than 10,000 yen. In cases involving newspapers or magazines the proviso of the preceding article shall apply:

1. Whoever, with the object of being elected or causing a candidate to be elected has published false information about his rank, position, occupation, or career.
2. Whoever has published false information about a candidate with the object of preventing his election.

Article 127 - Any person, not an elector, who has voted shall be liable to minor confinement for not more than one year or to a fine of not more than 5,000 yen.

Any person who has voted by fraudulently assuming the name of another person or by other unfair means shall be liable to minor confinement for not more than two years or to a fine of not more than 10,000 yen.

Any person who has forged votes or manipulated votes to affect their number shall be liable to minor confinement or penal servitude for not more than three years or to a fine of not more than 20,000 yen.

In case any officer; official as mentioned in Article 8 witness, or scrutineer has offended against the preceding section, he shall be liable to minor confinement or penal servitude for not more than five years or to a fine of not more than 20,000 yen.

Article 128 - Should a witness fail to discharge any of the duties provided in the present law without any justifiable reason, he shall be liable to a fine of not more than 1,000 yen.

Article 129 - Any person who has offended against the provisions of Article 95, 96 and 98 or has disobeyed the orders made in accordance with the provisions of Article 94 is liable to minor confinement for not more than one year or to a fine of not more than 5,000 yen.

Article 130 - Any person who has established election offices in excess of the number authorized in Article 90, or who has offended against the provisions of Article 91 or has established resting-places or places of like character, as described in Article 92, shall be liable to a fine of not more than 3,000 yen.

Article 131 - A person who has offended against the provisions of the first clause of Article 89, Article 99 or Article 101-4, 105, 106 or 109 shall be liable to minor confinement for not more than six months or to a fine of not more than 3,000 yen.

Article 132 - A person who has neglected to make reports or to give notices in accordance with the second second section of Article 89 or the fourth or fifth clause of Article 101 shall be liable to a fine of not more than 1,000 yen.

Similar punishment shall be applied to a person who has offended against orders issued in accordance with the provisions of Article 100.

Article 133 - Deleted.

Article 134 - A person who has paid out expenses of election contrary to Item three of Article 101 shall be liable to minor confinement for not more than one year or to a fine of not more than 5,000 yen.

Article 135 - Any person who commits an offense under any of the following heads shall be liable to minor confinement for not more than six months or to a fine of not more than 3,000 yen.

1. One who has neglected to prepare or keep the books provided for in Article 108-2, Para. 1 or has entered a false statement or false account in the books.
2. One who, contrary to the first section of Article 108-2, Para. 2, has failed to preserve books or documents.

3. One who has entered a false statement in the books or documents to be preserved under the first clause of Article 108-2, Para 2.

Article 136 - An election shall be invalid when, in connection therewith, a candidate has offended against the provisions of this chapter and been punished, or the person who controlled and managed election campaigns has been punished for offending against the provisions of Articles 112 or 113 except when the person elected has taken proper care in the selection and supervision of the person who controlled and managed the election campaigns, did not know the person as such, or the person in question, in spite of refusal by the elected, did control and manage the election campaign.

Article 137 - Any person who has been punished for offending against any of the provisions of this chapter, (except those of articles 130 and 132) shall be forbidden to exercise the right to vote and the right to be elected in an election to which the provisions of this Chapter apply mutatis mutandis, for a period of five years after the decision of the court, in case he was sentenced to pay a fine; or in case he was sentenced to confinement or more severe punishment, for the period from the time when the decision of the court was given until his term of punishment has expired, or until he has been exempted from execution of the sentence (except in case of a sentence extinguished by prescription) and another period of five years immediately following. This rule shall also apply for the period in case he was sentenced to confinement or more severe punishment, from the time when the decision of the court was given until the time when he is no longer liable to execution of any sentence.

In the case of a person who has been punished for an offense against any of the provisions of Article 112 or 113, or any offense to which these provisions are correspondingly applied, and who is again to be punished for an offense under Article 112 or 113, the term of five years mentioned in the preceding section shall be extended to ten years.

The court of law, in extenuating circumstances, may, while giving sentence to a person whose offense falls under the provisions of the first clause of the article, declare that the provisions of the same clause disqualifying him for voting or eligibility for five years shall not be applied, or that the term be reduced, or, in the case of a person whose offense falls under the provisions of the preceding clause, that the term of ten years provided for in the same clause be reduced.

Article 138 - For an offense punishable according to the third and fourth sections of Article 127 one year shall be considered as the term of prescription.

For an offense punishable according to the provisions of this chapter, other than those mentioned in the preceding section, six months shall be considered as the term of prescription, except when the offender has absconded, in which case one year shall be considered as the term.

Article 138-2 - When Voting-Overseers, Ballot-Counting Overseers or Chairmen of Election have come to lose their right to vote, they shall not remain in such positions.

Chapter XIII - Supplementary Rules

Article 139 - Election expenditures shall be fixed by Ordinance.

Article 140 - A candidate or the person who has recommended a candidate may send ten thousand (10,000) ordinary postcards for election campaign per candidate free of charge as provided by ordinance.

In accordance with ordinance, schools or other buildings which are designated by ordinance may be used for campaign speeches.

The caretaker of the buildings mentioned in the preceding section shall provide equipment necessary for meetings of speeches in accordance with ordinance.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall as provided for in Ordinance issue pamphlets in which names of candidates, their personal histories or other items are given.

The Commission for Overseeing the Election of Members of the Municipal Town, or Village Assemblies shall post up a notice of the names of the candidates in accordance with ordinance.

Article 141 - In lawsuits under the provisions of Article 16, 81 or 83, or the first section of Article 84, the example of civil cases shall be followed with the exceptions provided in this present law.

Article 141-2 - With regard to the lawsuits under the provisions of the second clause of Article 84 of the present law, the provision of the Code of Criminal Procedure on the private lawsuits shall be applicable, excepting the provisions of Items two, three, five to eight and ten to thirteen of Article 572, Article 574, 582, 588, 589, 591, 605-610 and 612, provided that "the Code of Civil Procedure" and "the Civil Department" shall read "the Code of Criminal Procedure" and "the Criminal Department" respectively.

A judgment invalidating an election, which has been passed for a suit brought under the provisions of the second clause of Article 84, shall not come into force, unless a sentence of guiltiness has been declared for the public action on the same case.

Article 141-3 - When a lawsuit has been instituted on an election, the court of law shall immediately sit in judgment notwithstanding the order of lawsuits on hand.

Article 142 - In respect of criminal cases enumerated in Chapter XII of the present law, the court of revision shall not be bound by the term provided in the first clause of Article 422 of the code of criminal procedure.

Article 143 - When, in connection with an election, an elected person has been punished for offenses enumerated in Chapter XII or the person who controlled and managed election campaigns has been punished for offending against the provisions of Article 112 or 113, the president of the court of law shall notify the Minister of Home Affairs and the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies concerned through the governor of the Metropolis, District or Prefecture concerned.

Article 144 - In the application of the present law, a corporation of towns or villages which takes charge of the entire office of towns or villages or conducts affairs of the town or village, the Commission for Overseeing the Election of Members of the Corporation and Commissioners for the same

or the Commission for Overseeing the Election of Overseers of the Corporation or the Commissioners for the same, as the Commission for Overseeing the Election of Members of the Town or Village Assemblies or the Commissioners for the same and the corporation office as the town or village office.

The Commissions for Overseeing the Election of Town or Village Heads under Article 38 of the Town or Village System Regulations and the Commissioners for the same shall be regarded as the Commissions for Overseeing the Election of Members of Town or Village Assemblies or the Commissioners for the same in the application of this Law.

Article 145 - For the areas of wards of the Tokyo Metropolis and the cities enumerated in Article 6 and the first clause of Article 82 of the Law on Municipalities, the provisions concerning the cities, The Commission for Overseeing the Election of Members of the Municipal Assemblies and the Commissioners for the same and city offices in the present law are applied to wards, the Commissions for Overseeing the Election of Members of the Ward Assemblies and the Commissions for the same, or the Ward Commission for Overseeing the Election of Members of the Municipal Assemblies and the Commissions for the same and ward offices respectively. However, in applying the provisions of Article 12, the "persons who have been domiciled for more than six months without interruption in their respective localities" shall be understood as the persons who have been domiciled for more than six months without interruption in the area where the wards of the Tokyo Metropolis exist, or in the cities of the Metropolis, and who are domiciled in the wards on that day.

In a place where there is no town or village system, the provisions of the present Law relating to the Commission for Overseeing the Election of Members of Town or Village Assemblies, town or village heads, the town or village offices are applicable to the corresponding organizations, persons, and offices respectively.

Article 146 - When, in an island or other place where communications are very difficult, the provisions of the present law are hardly applicable, special provisions may be enacted by imperial ordinance.

Article 147 - When the voting is conducted in accordance with Article 33, a person who takes charge of the voting is recognized as a voting overseer, the place where the votes are recorded as a polling-place and witnesses present at the voting as voting witnesses, and the provisions of Chapter XII shall be applied.

Article 148 - Deleted.

Article 149 - The provisions of Section 9, Article IV, Part II of criminal law, no. 36 of 1880 shall not be applied to the election of members of the House of Representatives.

Article 150 - The present law shall not be enforced for the time being in the islands of Ogasawara in Tokyo Metropolis or in the countries of Shumushu, Niichi, and Emu, under the Nemuro branch office in the Hokkaido.

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Annex

List of Electoral Districts With Quotas of Members

Electoral District		Number of Members
Tokyo-To	No. 1 District Chiyoda-ku Chuo-ku Minato-ku Shinjiku-ku Bunkyo-ku Daito-ku	4
	No. 2 District No. 2 District Shinagawa-ku Ota-ku Area under the jurisdiction of Oshima-shicho Area under the jurisdiction of Miyake-shico Area under the jurisdiction of Hachijojima-shicho	3
	No. 3 District Meguro-ku Setagaya-ku	3
	No. 4 District Shiguya-ku Nakano-ku Suginami-ku	3
	No. 5 District Toshima-ku Kita-ku Itabashi-ku	4
	No. 6 District Sumida-ku Koto-ku Arakawa-ku Adachi-ku Katsushika-ku Edogawa-ku	5
	No. 7 District Hachicji-shi Tachikawa-chi Nishitama-gun Minamitama-gun Kitatama-gun	5
Kyoto-Fu	No. 1 District Kamikyo-ku Nakakyo-ku Sakyo-ku Higashiyama-ku Shimokyo-ku	5
	No. 2 District Ukyo-ku Fushimi-ku Otaki-ku Kadono-ku Otowani-ku Uji-gun Kyze-gun Tsuzuki-gun Soraku-gun	5

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B

Fukuchiyama-shi
Maizuru-shi
Minamikuwata-gun
Kitakuwata-gun
Funai-gun
Amada-gun
Ikaruka-gun
Kasa-gun
Yosa-gun
Noka-gun
Takeno-gun
Kumano-gun

Osaka-Fu No. 1 District 4
Nishi-ku
Minato-ku
Taisho-ku
Tenoji-ku
Minami-ku
Naniwa-ku
Ikuno-ku
Abeno-ku
Sumiyoshi-ku
Higashisumiyoshi-ku
Nishinari-ku

No. 2 District 4
Kita-ku
Miyakojima-ku
Fukushima-ku
Konohana-ku
Higashi-ku
Oyodo-ku
Nishiyodogawa-ku
Higashiyodogawa-ku
Higashinari-ku
Asahi-ku
Joto-ku

No. 3 District 4
Toyonaka-shi
Ikeda-shi
Suita-shi
Takatsuki-shi
Morikuchi-shi
Mishima-gun
Toyono-gun
Kitakawachi-gun

No. 4 District 4
Fuse-shi
Minamikawachi-gun
Nakakawachi-gun

No. 5 District 3
Sakai-shi
Kishiwada-shi
Izumiotsu-shi
Kaizuka-shi
Izukita-gun
Izunami-gun

K
Kanagawa-ken No. 1 District 4
Yokohama-shi

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C

No. 2 District — 4
Yokosuka-shi
Kawasaki-shi
Kamakura-shi
Miura-gun
Kamakura-gun

No. 3 District — 5
Hiratsuka-shi
Fujisawa-shi
Odawara-shi
Koza-gun
Naka-gun
Ashigarakami-guh
Ashigarashimo-gun
Aiko-gun
Tsukui-gun

K

Hyogo-ken No. 1 District — 3
Kobe-shi

No. 2 District — 5
Amagasaki-shi
Nishinomiya-shi
Sumoto-shi
Ashiya-shi
Itami-shi
Muko-gun
Kawabe-gun
Arima-gun
Tsuna-gun
Mihara-gun

No. 3 District — 3
Akashi-shi
Akashi-gun
Mino-gun
Kato-gun
Taka-gun
Kasai-gun
Kako-gun
Innami-gun

No. 4 District — 4
Himeji-shi
Ao-shi
Shikama-gun
Kanzaki-gun
Iho-gun
Akao-gun
Sayo-gun
Shiso-gun

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No. 5 District — 3
Kinosaki-gun
Izushi-gun
Yabu-gun
Asago-gun
Mikata-gun
Higami-gun
Taki-gun

K

Nagasaki-ken No. 1 District — 5
Nagasaki-shi
Shimabara-shi
Isahaya-shi

D

Nishisonogi-gun
Kitatakaki-gun
Minamitakaki-gun
Area under the jurisdiction of
Tsushima-shicho (Local Government
Office)

No. 2 District 4
Sasebo-shi
Omura-shi
Higashisonogi-gun
Kitamatsuura-gun
Minamimatsuura-gun
Iki-gun

Niigata-Ken No. 1 District 3
Niigata-shi
Nishikanbara-gun
Sado-gun

No. 2 District 4
Shibata-shi
Kitakanbara-gun
Nakakanbara-gun
Higashikanbara-gun
Iwafune-gun

No. 3 District 5
Nagaoka-shi
Sanjo-shi
Kashiwazaki-shi
Minamikanbara-gun
Mishima-gun
Koshi-gun
Kitauonuma-gun
Minamiuonuma-gun
Kariha-gun

No. 4 District 3
Takada-shi
Nakauonuma-gun
Higashikubiki-gun
Nakakubiki-gun
Nishikubiki-gun

Saitama-Ken No. 1 District 4
Kawaguchi-shi
Urawa-shi
Omiya-shi
Kitaadachi-gun

No. 2 District 3
Kawagoe-shi
Iruma-gun
Hiki-gun

No. 3 District 3
Kumagaya-shi
Chichibu-gun
Kodama-gun
Osato-gun

No. 4 District 3
Kitasaitama-gun
Minamisaitama-gun
Kitakatsushika-gun

Gumma-Ken	No. 1 District	3
	Maebashi-shi	
	Isezaki-shi	
	Seta-gun	
	Ione-gun	
	Saha-gun	
	No. 2 District	3
	Kirui-shi	
	Nitta-gun	
	Yamada-gun	
	Ora-gun	
	No. 3 District	4
	Gumma-gun	
	Tano-gun	
	Kitakama-gun	
	Usui-gun	
	Akatsuma-gun	
Chiba-Ken	No. 1 District	4
	Chiba-shi	
	Ichikawa-shi	
	Funabashi-shi	
	Matsudo-shi	
	Chiba-gun	
	Ichihara-gun	
	Higashikatsushika-gun	
	No. 2 District	4
	Choshi-shi	
	Inba-gun	
	Unakami-gun	
	Sosa-gun	
	Katori-gun	
	No. 3 District	5
	Tateyama-shi	
	Kisarazu-shi	
	Chosei-gun	
	Sanbu-gun	
	Kimitsu-gun	
	Isumi-gun	
	Awa-gun	
Ibaraki-Ken	No. 1 District	4
	Mito-shi	
	Higashi-ibaraki-gun	
	Nishi-ibaraki-gun	
	Kashima-gun	
	Yukue-gun	
	Inashiki-gun	
	Kitasoma-gun	
	No. 2 District	3
	Hitachi-shi	
	Naka-gun	
	Kuji-gun	
	Taga-gun	
	No. 3 District	5
	Tsuchiura-shi	
	Niiji-gun	
	Chikuba-gun	
	Makabe-gun	
	Sarushima-gun	
	Yuki-gun	

F

Tochigi-Ken	No. 1 District	5
	Utsunomiya-shi	
	Kawachi-gun	
	Kamizuka-gun	
	Shioya-gun	
	Nasu-gun	
	No. 2 District	5
	Ashikaga-shi	
	Tochigi-shi	
	Sano-shi	
	Haga-gun	
	Shimotsuka-gun	
	Aso-gun	
	Ashikaga-gun	
Nara-ken	No. 1 District	5
Mie-ken	No. 1 District	5
	Tsu-shi	
	Yokkaichi-shi	
	Kuwana-shi	
	Ueno-shi	
	Suzuka-shi	
	Kuwana-gun	
	Inabe-gun	
	Mei-gun	
	Suzuka-gun	
	Kawage-gun	
	Ano-gun	
	Ichishi-gun	
	Ayama-gun	
	Naga-gun	
	No. 2 District	4
	Ujiyamada-shi	
	Matsuzaka-shi	
	Iina-gun	
	Take-gun	
	Watarai-gun	
	Shima-gun	
	Kitamuro-gun	
	Minamimuro-gun	
Aichi-ken	No. 1 District	5
	Nagoya-shi	
	No. 2 Dist	
	No. 2 District	4
	Seto-shi	
	Handa-shi	
	Kasugai-shi	
	Aichi-gun	
	Higashikasugai-gun	
	Nishikasugai-gun	
	Ohita-gun	
	No. 3 District	3
	Ichinomiya-shi	
	Tsushima-shi	
	Niwa-gun	
	Haguri-gun	
	Nakamima-gun	
	Kaibu-gun	

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	No. 3 District	
	Ichinomiya-shi	3
	Tsushima-shi	
	Niwa-gun	
	Haguri-gun	
	Nakajima-gun	
	Kaibu-gun	
	No. 4 District	
	Okazaki-shi	4
	Hekikai-gun	
	Hazu-gun	
	Nukata-gun	
	Nishikamo-gun	
	Higashikamo-gun	
	No. 5 District	
	Toyohashi-shi	3
	Toyokawa-shi	
	Kitashidara-gun	
	Minamishidara-gun	
	Hoi-gun	
	Atsumi-gun	
	Yana-gun	
Shizuoka-Ken	No. 1 District	
	Shizuoka-shi	5
	Shimizu-shi	
	Ihara-gun	
	Abe-gun	
	Shita-gun	
	Haibara-gun	
	Ogasa-gun	
	No. 2 District	
	Numazu-shi	5
	Atami-shi	
	Mishima-shi	
	Fujimiya-shi	
	Kamo-gun	
	Tagata-gun	
	Suntogun	
	Fuji-gun	
	No. 3 District	
	Hamamatsu-shi	4
	Iwata-gun	
	Suchi-gun	
	Hamna-gun	
	Inasa-gun	
Yamanashi-Ken	No. 1 District	5
Shiga-Ken	No. 1 District	5
Gifu-Ken	No. 1 District	5
	Gifu-shi	
	Ogaki-shi	
	Inaba-gun	
	Hashima-gun	
	Yoro-gun	
	Fuha-gun	
	Anbachi-gun	
	Ibi-gun	
	Motosu-gun	
	Yamagata-gun	
	Mugi-gun	

No. 2 District
Takaya-shi
Tajimi-shi
Kunjo-gun
Kamo-gun
Kani-gun
Toki-gun
Ena-gun
Mashita-gun
Ono-gun
Yoshiki-gun

Nagano-Ken No. 1 District 3
Nagano-shi
Sarashina-gun
Kamitakai-gun
Shimotakai-gun
Kamiminochi-gun
Shimominochi-gun

No. 2 District 3
Ueda-shi
Minamisaku-gun
Kitasaku-gun
Chisagata-gun
Hanishina-gun

No. 3 District 4
Okaya-shi
Iida-shi
Suwa-shi
Suwa-gun
Kamiina-gun
Shimoina-gun

No. 4 District 3
Matsumoto-shi
Nishichikuma-gun
Higashichikuma-gun
Minamiazumi-gun
Kitaazumi-gun

Miyagi-Ken No. 1 District 5
Sendai-shi
Shiogama-shi
Katta-gun
Shibata-gun
Igu-gun
Watari-gun
Natori-gun
Miyagi-gun
Kurokawa-gun
Kamigun
Shida-gun
Toda-gun

No. 2 District 4
Ishinomaki-shi
Tamatsukuri-gun
Kurihara-gun
Tome-gun
Mono-gun
Oshika-gun
Motoyoshi-gun

Fukushima-Ken	No. 1 District	
	Fukushima-shi	4
	Koriyama-shi	
	Shinobu-gun	
	Date-gun	
	Adachi-gun	
	Asaka-gun	
	No. 2 District	
	Wakamatsu-shi	5
	Iwase-gun	
	Minamiaizu-gun	
	Kitaaizu-gun	
	Yama-gun	
	Kawanuma-gun	
	Onuma-gun	
	Higashishirakawa-gun	
	Nishishirakawa-gun	
	Ishikawa-gun	
	Tamura-gun	
	No. 3 District	
	Taira-shi	3
	Iwaki-gun	
	Futaba-gun	
	Soma-gun	
Iwate-Ken	No. 1 District	
	Morioka-shi	4
	Kamaishi-shi	
	Miyako-shi	
	Iwate-gun	
	Shiba-gun	
	Kamêhei-gun	
	Shimokei-gun	
	Kunoe-gun	
	Ninoe-gun	
	No. 2 District	
	Hêenuki-shi	4
	Waka-gun	
	Kisawa-gun	
	Esashi-gun	
	Nishiiwai-gun	
	Higashiiwai-gun	
	Kisen-gun	
Aomori-Ken	No. 1 District	
	Aomori-shi	4
	Hachinoe-shi	
	Hiyashitsugaru-gun	
	Kamikita-gun	
	Shimokita-gun	
	Sannoe-gun	
	No. 2 District	
	Hirosaki-shi	3
	Nishitsugaru-gun	
	Nakatsugaru-gun	
	Minamitsugaru-gun	
	Kitatsugaru-gun	
Yamagata-Ken	No. 1 District	
	Yamagata-shi	4
	Yonezawa-shi	
	Minamimurayama-gun	
	Higashimurayama-gun	

Nishimurayama-gun
Minamiokitama-gun
Higashiokitama-gun
Nishiokitama-gun

No. 2 District — 4
Tsuruoka-shi
Sakata-shi
Kitamurayama-gun
Mogami-gun
Higashitagawa-gun
Nishitagawa-gun
Atsumi-gun

Akita-Ken No. 1 District — 4
Akita-shi
Noshiro-shi
Kazuno-gun
Kitaakita-gun
Yamamoto-gun
Minamiakita-gun
Kawabe-gun

No. 2 District — 4
Muri-gun
Senkoku-gun
Hiraka-gun
Okachi-gun

Fukui-Ken No. 1 District — 4

Ishikawa-Ken No. 1 District — 3
Kanazawa-shi
Komatsu-shi
Enuma-gun
Nomi-gun
Ishikawa-gun

No. 2 District — 3
Nanao-shi
Kakoku-gun
Hagui-gun
Kashima-gun
Fugeshi-gun
Suzu-gun

Toyama-Ken No. 1 District — 3
Toyama-shi
Kaminikawa-gun
Nakaniikawa-gun
Shimoniikawa-gun
Nei-gun

No. 2 District — 3
Takaoka-shi
Imizu-gun
Himi-gun
Higashitonami-gun
Nishitonami-gun

Tottori-Ken No. 1 District — 4

Shimane-kKen No. 1 District — 5

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Okayama-Ken	No. 1 District	5
	Okayama-shi	
	Tsuyama-shi	
	Mitsu-gun	
	Akaiwa-gun	
	Wake-gun	
	Oku-gun	
	Jodo-gun	
	Maniwa-gun	
	Tomata-gun	
	Katsuta-gun	
	Aida-gun	
	Kume-gun	
	No. 2 District	5
	Kurashiki-shi	
	Tamono-shi	
	Kojima-gun	
	Tsukubo-gun	
	Asakuchi-gun	
	Oda-gun	
	Shitsuki-gun	
	Kibi-gun	
	Kamibo-gun	
	Kawakami-gun	
	Atetsu-gun	
Hiroshima-Ken	No. 1 District	3
	Hiroshima-shi	
	Saheki-gun	
	Asa-gun	
	Yamagata-gun	
	Takata-gun	
	No. 2 District	4
	Kure-shi	
	Aki-gun	
	Kamo-gun	
	Toyota-gun	
	No. 3 District	5
	Onomichi-shi	
	Fukuyama-shi	
	Mihara-shi	
	Mitsugi-gun	
	Numakuma-gun	
	Fukayasu-gun	
	Ashina-gun	
	Jinseki-gun	
	Konu-gun	
	Futami-gun	
	Hiba-gun	
Yamaguchi-Ken	No. 1 District	4
	Shimonoseki-shi	
	Ube-shi	
	Hagi-shi	
	Onota-shi	
	Asa-gun	
	Toyora-gun	
	Mine-gun	
	Otsu-gun	
	Abu-gun	

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No. 2 District
Yamaguchi-shi
Tokuyama-shi
Bofu-shi
Shitamatsu-shi
Iwakuni-shi
Hikari-shi
Oshima-gun
Kuka-gun
Kumage-gun
Tsuno-gun
Saba-gun
Yoshiki-gun

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Wakayama-Ken No. 1 District
Wakayama-shi
Kainan-shi
Kaiso-gun
Naka-gun
Ito-gun

3

No. 2 District
Shingu-shi
Tanabe-shi
Arita-gun
Hitaka-gun
Nishimuro-gun
Higashimuro-gun

3

Tokushima-Ken No. 1 District

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Kagawa-Ken No. 1 District
Takamatsu-shi
Okawa-gun
Kida-gun
Shozu-gun
Kagawa-gun

3

No. 2 District
Marugame-shi
Sakaide-shi
Ayauta-gun
Nakatado-gun
Mitoyo-gun

3

Ehime-Ken No. 1 District
Matsuyama-shi
Onsen-gun
Iyo-gun
Kamukeana-gun
Kamikeana-gun

3

No. 2 District
Imaharu-shi
Niihama-shi
Saijo-shi
Ochi-gun
Shuso-gun
Nihi-gun
Uma-gun

3

No. 3 District
Uwajima-shi
Yawatahama-shi
Kita-gun
Nishiuwa-gun
Higashiuwa-gun
Kitauwa-gun
Minamiuwa-gun

3

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Kochi-Ken	No. 1 District	5
Fukuoka-Ken	No. 1 District Fukuoka-shi Kasuya-gun Munakata-gun Asakura-gun Tsukushi-gun Sawara-gun Itoshima-gun	5
	No. 2 District Yawata-shi Tobata-shi Nogata-shi Iizuka-shi Onga-gun Furate-gun Kaho-gun	5
	No. 3 District Kurume-shi Omuta-shi Ukiha-gun Mitsui-gun Mitsuma-gun Yame-gun Yamato-gun Miike-gun	5
	No. 4 District Kokura-shi Moji-shi Kagawa-shi Kiku-gun Tagawa-gun Miyako-gun Chikujo-gun	4
Oita-Ken	No. 1 District Oita-shi Hida-shi Saeki-shi Oita-gun Kitaamabe-gun Minamiamabe-gun Ono-gun Naoiri-gun Hida-gun	4
	No. 2 District Beppu-shi Nakatsu-shi Nishikunisaki-gun Higashikunisaki-gun Hayami-gun Shimonoge-gun Usa-gun	3
Saga-Ken	No. 1 District	5
Kumamoto-Ken	No. 1 District Kumamoto-shi Arao-shi Hotaku-gun Tamana-gun Shikamoto-gun Kikuchi-gun Aso-gun	5

	No. 2 District	
	Yatsushiro-shi	5
	Hitoyoshi-shi	
	Udo-gun	
	Kami Masushiro-gun	
	Shimo Masushiro-gun	
	Yatsushiro-gun	
	Ashikita-gun	
	Kyuma-gun	
Miyazaki-Ken	No. 1 District	
	Miuszaki-shi	3
	Nobeoka-shi	
	Miyazaki-gun	
	Konoyu-gun	
	Higashi-Sonoki-gun	
	Nishi Sonoki-gun	
	No. 2 District	
	Miyakonojo-shi	3
	Minami Naka-gun	
	Kita Morogata-gun	
	Nishi Morogata-gun	
	Higashi Morogata-gun	
Kagoshima-Ken	No. 1 District	
	Kagoshima-shi	4
	Kagoshima-gun	
	Ibusuki-gun	
	Kawanebe-gun	
	Hioki-gun	
	No. 2 District	
	Sendai-shi	3
	Satsuma-gun	
	Izumi-gun	
	Isa-gun	
	Aira-gun	
	No. 3 District	
	Kanaya-shi	3
	Kimotsuki-gun	
	Soo-gun	
	Kumage-gun	
	Area under the jurisdiction of Oshima-shicho	
Hokkaido	No. 1 District	
	Sapporo-shi	5
	Otaru-shi	
	Area under the jurisdiction of Ishikari-shicho	
	Area under the jurisdiction of Shiribeshi-shicho	
	No. 2 District	
	Asahigawa-shi	4
	Area under the jurisdiction of Kamikawa-shicho	
	Area under jurisdiction of Soya-shicho	
	Area under jurisdiction of Rumoi-shicho	
	No. 3 District	
	Hakodate-shi	3
	Area under the jurisdiction of Hiyama-shicho	
	Area under the jurisdiction of Toshima-shicho	

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No. 4 District
Muroran-shi
Yubari-shi
Iwamizawa-shi
Area under the jurisdiction of Sorachi-shicho
Area under the jurisdiction of Ibari-shicho
Area under the jurisdiction of Hidaka-shicho

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No. 5 District
Kushiro-shi
Obihiro-shi
Kitami-shi
Abashiri-shi
Area under the jurisdiction of Tokachi-shicho
Area under the jurisdiction of Kushiro-shicho
Area under the jurisdiction of Nemuro-shicho
Area under the jurisdiction of Abashiri-shicho

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(annex precedes this. Number the pages 67-a, 67-b etc.)

68

SUPPLEMENTARY RULES

Article 1 - This law shall come into force so that the coming general election may be effected according thereto. However Articles 10 and 11 of supplementary provisions shall be applied to the coming election for members of assemblies of city, town and village, or chief executives of city, town and village.

When members of assemblies of public entities or chief executives thereof are elected, amended provisions for the law of election for the House of Representatives shall be considered enforced, in the case of these provisions being applied mutatis mutandis, if the amended provisions above mentioned are not yet enforced.

Article 2 - The President of the Court of Administrative Litigation and judges of the same in active service shall not be eligible until the Japanese Constitution comes into force in spite of the provisions of this Law.

Article 3 - In Article 10 of this revised Law for the Election of Members of the House of Representatives, "the director-general of the cabinet secretariate" shall read "the Chief Secretary of the Cabinet", till the coming into force of the Japanese Constitution.

Article 4 - In Article 16, Para 2, of this revised Law for the Election of Members of the House of Representatives, "the Supreme Court" and in Article 81, Article 83, Para 1, and Article 84, Para 1, "the High Court" shall read "The Supreme Court", that is "Daishin-in", till the coming into force of the Japanese Constitution.

Article 5 - Before the coming into force of the Japanese Constitution, the date of a general election shall be determined and proclaimed by an Imperial Ordinance in spite of the provisions of revised Article 18, Para 4, of this revised Law for the Election of Members of the House of Representatives.

Article 6 - In the coming general election, "within ten (10) days" in Article 7 of the Law for Election of Members of the House of Representatives shall be regarded as five (5) days.

Article 7 - Partial amendments shall be made to the Law for Election of Members of the House of Councillors as follows:

Article 2 in Additional Rules shall be amended as follows -
Article 2. Deleted.

Articles 5 to 8 in Additional Rules shall be amended as follows -
Articles 5 to 8 - Deleted.

Article 8 - Partial amendment shall be made to the Law for the Tokyo Metropolis System as follows:

In Article 93-20 (of the said Law), the following shall be added -

"; names, personal histories etc. in Article 140, Para 4 of the said Law shall read political opinions."

Article 9 - Partial amendment shall be made to the Law for the District and Prefectures System as follows:

In Article 74 - 20 (of the said Law), the following shall be added -

"; names, personal histories etc. in Article 140 Para 4 of the said Law shall read political opinions."

Article 10 - Following amendments shall be made to the law concerning organization of city:

In Article 39, proviso, "officials are commissioners for overseeing election, ward commissioners for overseeing election, secretaries of commission for overseeing election and of ward commission for overseeing election, chairman of election, chairman of subcommittees for voting and chairman of subcommittee for ballot counting" shall read "those mentioned in Article 8 are chairman of subcommittee for voting and chairman for ballot counting".

Article 40, proviso shall read as follows -

However, those mentioned in Article 8 which is quoted in Article 112, Para 2, Article 113, Para 3, Article 116, Article 117, Article 127, Para 4 the law of election for the House of Representatives, shall include chairman of sub-committee for voting and chairman of sub-committee for ballet counting.

Article 11 - Following amendment shall be made to law concerning the organization of town or village.

In Article 36-2 of the said law, "Article 96" shall be added next to "Article 95" and also Article 100-2 shall be deleted.

Article 36 proviso shall read as follows:

However those mentioned in Article 8 which is quoted in Article 99 of the said law shall include chairman of subcommittee for voting and chairman of subcommittee for ballet counting.

Article 37 proviso shall read as follows -

However those mentioned in Article 8 which is quoted in Article 112, Para 2, Article 116 Article 117 and Article 127, Para 4 of the law of election for the House of Representatives shall include chairman of subcommittee for voting and chairman of subcommittee for ballet counting.